File No. PWD 6 LBW 66
Part T

MYSORE GOVERNMENT SECRETARIAT

Notes/Correspondence/Collection

Department PWD Section Special Irrigation

Subject:— Mysore Irrigation (Levy of Water Rates) Rules 1965 — Implementation of

Earlier References:—

Later References:—

(Classification A/B/C)

Notes pages.....

Correspondence Pages.....

For/Not for Section note Book

To be destroyed after.....

Under Secretary to Government.

Note Continuation Sheet

Subject: Bombay Irrigation (Levy of Water Rates) Rules 1965 — Implementation —

File No. PRD 6 (85)66

References and markings	Notes and Orders	Para Numbers

Receipt - no 301 from the - Divisional Comm Gulbarga Division —

Orders of the D/S (9) on the P.N.D

Sp. I. Section
P. put-up the connected file's

Sd/- M.C.
15/2

The main file bearing no PRD 33 (85)64 relating to the issue of Water Rates Rules 1965 - has been referred to the Law Dept. proposing certain amendments to the Rules on 5.2.66. On personal enquiry it is learnt that the file is under legal scrutiny.

A Copy of the Rules issued in this behalf (2 is placed below for reference.

The Divisional Comm has stated (3 that - the - Land Revenue for the Kharif season has already been collected in the — Districts of Gulbarga, Raichur and Bidar and that the Akkals which indicate the demand have already been prepared — it is almost impossible to modify these akkals — He has further stated that it is administratively extremely difficult to collect these enhanced Water Rates during the current year.

He has therefore requested that — (4

P.T.O

Note Continuation Sheet

Subject.....Payment Irrigation (Water Rate) Rules 1965 —

PWD 6 (185)64

File No.....

WD 014899—GPB—8,00,000—17-8-33

References and markings	Notes and Orders	Para Number

The enhanced rates may be brought into effect from 1.7.1966. Accordingly the Rules, the levy has come into force from the first day of July 1965.

The proposal by the Divisional Commissioner may be considered.

16/2/1966.

17/2/66

M. CHANNAPPA

Dy. Secy. to Govt. P.W.D. (Irrgn.)

Secy P.WD)

SECRETARY TO GOVERNMENT No. PWD 19 FEB 1966 PUBLIC WORKS & ELEC. DEPT.

Govt are keen that the water rates should be collected from the current year. There may be some difficulties but we will have to overcome these difficulties as the new Rules of water rate enforced from the current year itself, as Govt. can not afford to lose the revenue. T.S./F.S. may kindly see before the files submitted

6

Retaining Branch

Note Continuation Sheet

Subject...The Mysore Irrigation (Levy of Water Rates) Rules 1965- Supplementation of Rules

No. PWD 62 BWC 66

Reference and markings	Notes and Orders	Para Numbers
	To C.M. for orders.	
	Shri Srikantaiah, J.S.:—	
V.U. Urgent	Shri Kuriakose, J.S.:—	
	(Sec. to P.W.D.)	8
	The suggestion made in para 6 ante on the proposal of the Divisional Commissioner Gulbarga in his letter at page 1 may kindly be approved. (We can not afford to postpone the enforcement of the new water rates, as suggested by Shri Rao.)	9
	C.M.	10
	(Sec. (PWD))	11

CHANDAPPA PATEL
Secy. P. W. & Elecy. Dept.
12/2

B. S. Srikantaiah
21/2/66
B. S. SRIKANTIAH,
Secy., Rev. Dept.

CHANDAPPA PATEL
Secy. P. W. & Elecy. Dept.
22/2/66

S. NIJALINGAPPA
Chief Minister
23/2/66

REVENUE SECRETARIAT
No 1208
21 FEB 1966
GOVERNMENT OF MYSORE

FINANCE DEPARTMENT
1286
21 FEB 1966
GOVERNMENT OF MYSORE

PUBLIC WORKS & ELECTRICITY DEPARTMENT
1966
PUBLIC WORKS & ELECTRICITY DEPARTMENT

OFFICE OF THE CHIEF ENGINEER
771
23 FEB 1966
BANGALORE

4

Note Continuation Sheet

Subject..... Mysore Irrigation (Water Rate) Rules 1965 —

WD 6 LBR 66
File No.....

WD 014839—GPB—3,00,000—17-3-66

References and markings	Notes and Orders	Para Number
P.S to C.M	Submitted for approval 25/11/66 Issued 27/12 ASSD 28/12/66.	12
	13) As per letter dated 14th November, 1965, from the Finance Secretary, a meeting was held in the Finance Ministers chambers today. When all the Divisional Commissioners, Secretary, Finance, Financial Adviser, Excise Commissioner were also present. The Divisional Commissioner, Gulbarga, explained the difficulties involved in giving effect to the water rates from 1.7.1965 since the preliminaries regarding Levy of Water rates have not been gone through before the harvest of the crops for which we have to now levy water rates. After discussion the Finance Minister desired that all the Divisional Commissioners, Secretary, Revenue Department, Secretary, P.W.D. and Excise Commissioner to meet in the chambers of the Revenue Secretary to-day at 3.30 P.M. to discuss and arrive at an agreed procedure to be followed with regard to levy of water rates etc. 17/3/66 (M.Channappa) DEPUTY SECRETARY TO GOVT P.W.D. (IRRIGN.) SECY.PW&E)	13

Standing space

Note Continuation Sheet

Subject..... File No. PWD 6 CBS 66

Reference and markings	Notes and Orders	Para Numbers
	14. As stated in para (13) above a meeting was held in the Revenue Secretary's chamber at 3-30 p.m. when the Divisional Commissioner, Mysore, Divisional Commissioner, Bangalore, Divisional Commissioner, Gulbarga, Sri N.S.Bharath, Deputy Secretary, F.D.(Budget) and Sri Balasubramanyam, Excise Commissioner, were present. The Divisional Commissioners desired that detailed instructions have to be issued with regard to the procedure to be followed before assessing the water rates by the Tahsildars in respect of lands under all irrigation works. The Divisional Commissioners were of the opinion that the P.W.D. authorities have to intimate the Tahsildars regarding the satisfactory supply of water to the lands under all irrigation works. It is only then based on certain information furnished by the P.W.D. authorities, that the Tahsildars can assess the water rate.	14
	15. In this connection it may be stated that ~~this~~ it would be difficult for the P.W.D. to furnish ~~survey~~ information in respect of 38,000 tanks in the State and P.W.D. would require lot of staff for this work. Proceedings of this meeting have been drawn up and the same ~~can be taken as accepted~~ is expected. Further action may perhaps be taken on receipt of proceedings.	15
	For perusal. 18/3/66 (M.Channappa) DY.SECRETARY TO GOVT. P.W.D.(IRRGN.)	
	SECY.PW&E.	
	16) The file was brought back from the Secy's	

Stitching Tape

SECRETARY TO GOVERNMENT No. PWD 158 Date 19 MAR 1966 PUBLIC WORKS & ELEC. DEPT.

Note Continuation Sheet

Subject..... File No.....

WD 014898—GPB—8,00,000—11-8-65

Reference and markings	Notes and Orders	Para Numbers

room since the Proceedings of the said meeting have not been received. Referred to in Paras. 14 & 15 of the C.N.L the Proceedings are placed at Pages 13 to 16 of C/F which may be perused It is learnt further discussions are proposed to be held at 4-30 P.M on 21/3/66 at the Revenue Secretary's Chambers. May await the out Come of that meeting:

PM
20/3/66
DS(L).

The meeting as proposed by the Revenue 17
Secretary was held at 4-30 P.M in his Chambers to-day and further Proceedings of that meeting may be awaited.

PM
21/3/66 18

Another Copy of the Proceedings received from the Sy. Mofa is also enclosed and placed at pages 25-28 of C/F

Cont...

Note Continuation Sheet

Subject..... File No.....

Reference and markings	Notes and Orders	Para Numbers
	The Revenue Secretary has sent a copy of the summary of discussions held on 17.3.66 and also on 21.3.66 in regard to the steps to be taken for booking the water rate demand. Copies of the summary of discussion are placed at pages 13-24 C.F. which may kindly be perused.	19
	The several points discussed in the above said meeting are noted below.	20
I. SUPPLY OF INFORMATION TO TAHSILDAR BY P.W.D.	According to the provision contained in the Water Rate Rules, the Tahsildar had to issue notices to the individual land-holder indicating the water rate due from them in respect of each holding. For this purpose the Tahsildar has to satisfy himself that the water was supplied, and made available or used for irrigation. It is therefore suggested that the P.W.D. should be asked to supply the information such as (i) Survey Nos. to which water was supplied or made available for irrigation or which land used water, (b) and information in respect of all lands irrigated from Govt. sources including channels and tanks .	
	In the meeting held on 21.3.66, the question of giving detailed instructions to the field staff of the P.W.D. and the R.D. for booking water rate demands has also been discussed in greater detail.	21
	If approved a circular to this effect will be issued to all the P.W.D. officers with a copy to Deputy Commissioners detailing	22

Sitting space

Reference and markings	Notes and Orders	Para Numbers
	the instructions indicated in the meeting.	
II. ADDITIONAL STAFF.	Regarding this, some staffing pattern has to be evolved both in the P.W.D. and in the office of the Tahsildar and Asst.Commissioners. This has to be considered by the Services Section.	23
III. AMENDMENT TO RULE 4(1) OF THE MYSORE IRRIGATION LEVY OF WATER RATES)RULES 1965.	It is stated that the implication of the 'impression' as the case may be' is little vague and it should be simplified as to whether the statement should be prepared at the end of each crop season or revenue year.	24
	The following amendment has been proposed:-	
	"The statement should be prepared at the end of the crop season for the main crop and a separate levy should be made at a reduced rate for a second crop. In respect of sugarcane crop, the statement might be prepared at the end of the Revenue year."	
Reproduced below. +	In the meeting held on 21.3.66 another amendment ~~in~~ modification to the above has been suggested. This pertains to levy of water rate for growing a second ~~certain~~ crop of paddy.	25
	"When water is supplied, made available or used from the irrigation works specified in column (1) of the table below, for the irrigation of any land for gowing a second crop of paddy in any revenue year, additional water rate as specified in col.(2) of the said table shall be levied.	

Stitching groove

Note Continuation Sheet

Subject Mysore Irrigation (Water Rates) Rules 65 — Amendments — File No PWD 64 LBW 66

Reference and markings	Notes and Orders	Para Numbers

TABLE.

Irrigation work.	Rate per acre for second crop.
1	2
1. Irrigation work capable of irrigation not more than one hundred acres of land.	Rates To be specified .....
2. Irrigation work capable of irrigating more than one hundred acres of land.	Rates to be specified by Government. .....

For sugar Cane crop they have decided that demand the/statement should be prepared for each crop season. 26

The above amendment will be included in the draft amendment which is already approved and is under issue separately in File No. PWD. 33 LBW 64 (which is placed below) after showing it to Law Department. 27

The other subjects relating to collection of irrigation cess and about payment of remuneration to Village Officers at 2% of water rates collections, may also be perused. 28

Submitted for orders.

28/8/66

20/8/66

Stitching space

10

Note Continuation Sheet

Subject ..... File No . .....

WD 014899—GPB—8,00,000—11-8-65

Reference and markings	Notes and Orders	Para Numbers

29) The proceedings of the meeting held in the Finance Minister's chamber on 17.3.66 and again on 21.3.66 in the Revenue Secretary's Chambers may please be perused at page 18-20 and 22-24 of the case file. The points on which P.W.D. is conderned are as follows:-

1) Since all the tanks having an atchkat above 10 acres have now been transferred from Revenue to P.W.D., the P.W.D. have to furnish information to the Revenue Department regarding fact of having supplied water under those tanks and canals including Major and Medium irrigation works. It is only based on this information the Tahsildar will proceed ~~for~~ levy of water rate crop-wise.

   For this year since the ~~xxx~~ Khariff crop season is already over it was agreed water rates to be levied based on the Pahni information and hereafter P.W.D. has to furnish this information to the Revenue Officers regularly, every year immediately water is allowed for irrigation under Major, Medium and Minor irrigation works including canals. A circular to this effect has to be issued to all the P.W.D. officers, a draft of which is placed below for ~~information and~~ approval.

2) Under Rule 4(i) of the Mysore Irrigation Levy of Water Rate Rules,1965, the expression "at the end of each crop season or Revenue year as the case may be" has been desired to be clarified as to who should decide whether the demand statement of water rates should be at the end of each crop season or Revenue year. After discussion it was decided that the water rate demands should be prepared at the end of each crop season., and in respect of sugar cane crop the statement might be prepared at the end of the Revenue year.

3) Regarding water rates proposed to be levied when two paddy crops are grown in any Revenue year the committee desired that a separate levy for the first crop and a separate levy at reduced rates for a second crop is to be levied instead of a combined levy.

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Note Continuation Sheet

Subject: Mysore Irrigation Water Rates Rules 1965 – Amendments

File No: PWD 64 B&S 66

Reference and markings	Notes and Orders	Para Numbers

30) Regarding points (2) and (3) above it may perhaps be necessary to make some slight changes in the draft amendment proposed for the water rates Rules (vide page 311 to 314) of the ~~ex~~ main File No. PWD 33 ~~DBS~~ 64 placed below). Law Department may kindly be requested to ~~make such~~ Suggest suitable changes wherever necessary before the draft is published for information of the public.

30/3/66

(M.Channappa)
Deputy Secretary to Govt.
P.W.D.(I)

SECY. PW&E.
LAW DEPTT.

The draft at page 33 31
will have to issue in
the first instance
P.W.D. may peruse
before issue.

CP
30/3

V. Gopala Rao

CHANDAPPA PATEL,
Secy., P.W. & Elecy. Dep.

B.S. Srikantiah 32

B. S. SRIKANTIAH
Secy., Rev. Dept. 36

Secy (PWD) 33 for perusal before issue.

CP

CHANDAPPA PATEL,
Secy., P.W. & Elecy. Dep.

C.M. 34 & P.S.O. Pl. speak.
Sy. Rev. may be present

B. NIJALINGAPPA
Chief Minister

Note line with the file by A/14

SECRETARIAT GOVERNMENT OF MYSORE
Rec'd on 25.1.66
Dept. P.W.D.

PUBLIC WORKS & ELEC. DEPT.

OFFICE OF THE CHIEF MINISTER
1598
1 APR 1966
BANGALORE

REVENUE SECRETARY
No. 2872
31 MAR 1966

SECRETARIAT GOVERNMENT OF MYSORE
No.
1966

PUBLIC WORKS & ELEC. DEPT.

Stitching space

12

Note Continuation Sheet

Subject..... File No .....

WD 014899—GPB—8,00,000—11-8-65

Reference and markings	Notes and Orders	Para Numbers

1598

SECRETARY TO GOVERNMENT
No 1266
1966
RADIO WKS & ELEC. DEPT.

May be discussed with his Chief Minister on 12/4/66 at 4.30 p.m. in his Chambers. 35

S. Venkatesan
Private Secretary to the Chief Minister.

4/4.

Secy (PW.D)

Secy (. Revn)

Information may 36
be given to P.W.D. Secy
urgently. D.S.(I)
will also attend meeting
Ch

Revn Secy 11/4/66

11/4/66.

P.A to R.S. has been informed of the above

11/4/66

D.S.(I) 7/4

Subject to a slip - In approval. (37) P.35 g) c.m.

D.S. 11/4

Issued 11/4/66

Issued
Dated 11/4/66

This may now be marked to the P.W.D. & the Secy Revn for placing the same before the Secy at the time of the meeting. 38)

11/4

Minister Revn & Hon. Pr. D. may also see. 13/4/66

39)

Note Continuation Sheet

Subject: Amendments to the Mysore Irrigation (Water rates) Rules 1965 —

File No: PWD 6 CAN 66

Reference and markings	Notes and Orders	Para Numbers
	It is learnt that the Hon. Minister for Revenue is on tour and is likely to return to HQ only on 16th evening. Honourable Minister P.WD may kindly see Paras 29 to 39 of the CIN and also the draft circular placed at page 33-34 of C/F and approve before issue — 13/4/66 M. CHANNAPPA. Dy. Secy. to Govt. P.W.D. (Irrgn.) Minr. P.WD.) V. Krishi 13/4.	(40 41
	For perusal of Paras 29 to 40 of C/N and the draft Circular placed at Pages 33-36 of C/F and approval before issue — 13/4/66 M. CHANNAPPA. Dy. Secy. to Govt. P.W.D. (Irrgn.) Minr. Revenue) M. V. KRISHNAPPA, Minister for Revenue.	42 43
	Issue pmtng 19/4/66 ISSUED Dated 20.4.66	44
	Resubmitted after issue as directed The file may now be received back.	(45 —

Stitching space

CENTRAL SECRETARIAT 1147 1966 BANGALORE

(4)

Note Continuation Sheet

Subject..... Mysore Legislative Secretariat Rules 1965 — Amendments —

MD 64 MSS66

File No .....

WD 014899—GPB—8,00,000—11-8-65

Reference and markings	Notes and Orders	Para Numbers

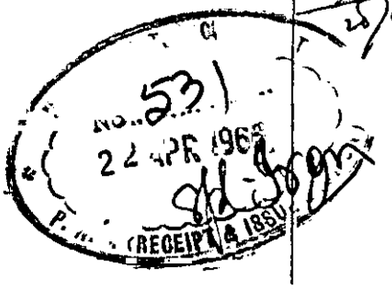
for their remarks. Ref:- para 30 ante.

25/4/66

M. [illegible] 66

Jr. Secy. to Govt.

(LD)



P.W. Dept is requested to follow the procedure laid down in rule 57 of the Mysore Govt Rules of Business, 1964.

MAS
21/4/66
M. A. SRIKRISHNA,
Draftsman & Ex-Officio
Joint Secretary, Law Department.

P.W. Dept)

USD 2
Sri MAR

4/2/4

(68

Rule 57 of the Mysore Govt Rules of Business 1964 reads as follows:-

57. Whenever it is proposed in any Department other than the Law Dept:-

i) to issue a statutory rule, notification or order; or

ii) to sanction under a statutory power the issue of any rule, bye-laws, notification or order by a subordinate authority; or

the draft shall unless it is of a routine nature or unless similar drafts have already been accepted by the Law Dept be referred to that Dept for opinion and for revision where necessary.

Contd

Stitching space

Note Continuation Sheet

Subject Mysore Irrigation Water Rate Rules 1965 — Amendments — File No. PWD 6 LBW 66

Reference and markings	Notes and Orders	Para Numbere
	Some more modifications to the draft already sanctioned by the Law Dept. have been proposed vide enclosure (in pencil) placed at page 31/c) the Executive PWD 33 LBW 64 Pt. 6. This may kindly be marked to the Revenue Secretary for obtaining orders on the proposal to modify the draft which is now submitted with proper modifications. 23/9/66	49
Enclosure to file PWD 33 LBW 64	The ammendement to the water rate rules have been finally ~~published~~ issued. points 2 & 3 of para 29 have been covered in the ammendments.	50
	Regarding Procedure to be followed for assessment of the water rates extract of para 368 of the file PWD 33 LBW 64 may be taken and further dealt in this file. 21/9/66	
	Extract of Para 368 from File No. PWD 33 LBW 64 is taken and reproduced below. ---- (368) " The Revenue Secretary desired that in respect of the procedure to be adopted for the determination of water rates separate instructions have to be issued for the guidance of the Revenue Officers and it was agreed that the draft amendment may be published finally	51

Stitching space

p.t.o.

16

Note Continuation Sheet

Subject Mysore Irrigation water Rates Rules 1965 — Amendments — circular instructions

File No PWD 6 LBW 66

WD 014899—GPB—8,00,000—11-8-65

Reference and markings	Notes and Orders	Para Numbers
	and then the proposed instructions to be issued separately. [The final Notification placed at Pages 342-344/c.f. with the above modifications may please be perused and approved.]	
	Id. (M.C) D.S., PWD (Irrigation). 21-9-66.	
	Id. (M Ch) Secy. PWD. 21-9-66.	
	Id. (B.S.S) Jt. Secy. R.D. 21-9-66.	
	Accordingly a Draft ~~Circular~~ is put up at Page 38 /c.f. which may kindly be perused by the Revenue Secretary before issue.	52
	26/9/66	
	53. For perusal of Original Rules relating to water rates (vide pages 38-41 C.F.) and also the amendments issued on 22-9-1966 after discussion with the Secretary, Revenue Department and the Joint Secretary, Law Department (vide 42 and 44 C.F.) ~~may please be perused.~~ Extract of para 368 of the file No. PWD 33 GBW 64 where the amendments are dealt given in para 51 of this file may also be perused. Regarding assessment of water rates Revenue Secretary desired that a letter explaining the proceedure to be adopted for the guidance of the Revenue Officers is to be issued. A draft letter placed at pages 45 and 46 of the case file may please be perused in that behalf.	
	26/9/66 (M.Channappa) Deputy Secretary to Govt. P.W.D.(I)	
	~~JT.SECY.PW&E.~~ SECY.PW&E. ~~SECY.R.D.~~	
	27/9 M. C. ANTIN, Jt. Secy., P.W. & Elec. Dept.	

SECRETARY TO GOVERNMENT No PWS 5185 Date 27 SEP 1966 PUBLIC WORKS & ELEC. DEPT.

JOINT SECRETARY TO GOVT. No 5263 26 SEP 1966 PUBLIC WORKS DEPARTMENT

Stitching space

850

Discussed with the Secy. PWD 28/9

Note Continuation Sheet

Subject Mysore Irrigation (Levy of water rates) Rules 1965-Implementation of. File No .....

WD 014899—GPB—8,00,000—11-8-65

Reference and markings	Notes and Orders	Para Numbers

by No. 1113 & 18-8-66

P.W.D. is for perusal.

The Divisional Commissioner, Belgaum Dn., requests to issue suitable instructions to the P.W.D. Officers to take-up measurement of lands for which water has been supplied and to furnish the information to the concerned Tahsildars reg. the S. No. and the area for which water has been supplied.

19/8

1
5e

As per the case no. The file is missing. While deciding no proceedings can be taken.
21/9

The main file leading to the issue of Circular No.PWD 6 LBW 66 dated 19-4-1966 has been submitted separately along with file No.PWD 33 LBW 64. The file is not readily available. However, a copy of the Circular is placed at Page. 6 c.f. for perusal. In this Circular, instructions have been issued to the effect that to enable the Tahasildar to satisfy himself regarding the fact that water was supplied/~~made~~ available to the lands under several irrigation works in the Taluka; the concerned P.W.D.Officers should furnish the information regularly every year for

2
53

Stitching space

Reference and markings	Notes and Orders	Para Numbers

having supplied or made available water under several irrigation works.

The Divisional Commissioner, has stated that in order to avoid ~~the~~ disputes at a later stage by the Land-holders about the area for which the water has been supplied, the Superintending Engineers were requested to instruct the P.W.D. Officers under them to arrange ~~to~~ take measurements of lands for which the water has been supplied, ~~and~~ by holding Meetings as was done before, to furnish a statement showing the several particulars to the Tahasildars to enable ~~their~~ to proceed ~~to the~~ levy water rates, according to water rates rules.

It is stated that the Superintending Engr. Ghataprabha Circle who was addressed in the matter is reported to have replied that unless specific orders of Govt. are obtained, they are not bound to supply all these details.

The Divisional Commissioner, has stressed that these details will have to be furnished by the P.W.D.Officers, otherwise it will lead to disputes later. He has therefore requested Govt. to issue suitable instructions to the P.W.D. Officers to arrange to take measurements of the lands for which the water has been supplied and to furnish the requisite information to the Tahasildars regarding Survey No. and the area for which the water has been actually supplied, well in time.

Since the water rates is to be recovered with retrospective effect i.e., from 1-7-65 ~~by~~ the Revenue Dept. has requested to

Stitching space

M. G. S. | Subject: | File No. PWD 6 LBW 66 Sr.II

WD 01050—GPB—8,00,000 18-12-65

communicate immediate orders of Govt. in the matter.

31/8/66

D/S (9)

7. The letter of the Divisional Commissioner, Belgaum dated 11.8.1966 addressed to the Secretary to Govt. P.W.D. (vide page 1 and 2 C.F.) and also the copy of the letter from the Superintending Engineer, Ghataprabha Project Circle, Hidkal, addressed to the Divisional Commissioner, (vide page 3 and 4 C.F.) may please be perused. In Circular No.PWD.6 LBW 66 dated 19.4.66 the officers of the P.W.D. have been directed that information regarding supply of water to the areas under several Major, Medium and Minor Irrigation Works have to be supplied to the concerned Tahsildar so as to enable him to satisfy himself that water was supplied, made available or made use of for the irrigation under lands, prepare a statement of water rate payable by each land holder, so as to effect recovery of the same from the concerned beneficiary. The Divisional Commissioner has stated that is is very necessary that the P.W.D. officers have to arrange to take measurements of lands for which water has been supplied and by holding (Ruzuwat meetings) as was done before to furnish a statement showing the name of land holder, S.No. and the area for which water has been actually supplied. It is only after furnishing this information the Tahsildar will proceed to levy water rate. In para.(3) of his letter he has stated that it will not be possible for the Tahsildar to work out the demand of the water rate and to take action for its recovery, ~~its recovery~~, Unless the information regarding the land ~~xxxxxx~~ and the area for which water is supplied is furnished by P.W.D. The above proceedure perhaps was in vogue

in Bombay-Karnatak and I learn that there has been sufficient staff in each P.W.D. Sub Division incharge of irrigation works to attend to such works. But as far as old Mysore area, Hyderabad-Karnatak area ~~of~~ and Madras areas are concerned, there has been no such system ~~in~~ and at present there is no staff also. Such being the case it may not be physically possible for the P.W.D. officers to arrange to take measurements of the areas with crop details for which water has been supplied by the P.W.D. If ~~these works are~~ this were to be done by P WD requisite staff will ~~have to~~ be required by P.W.D. on the pattern of staff existing in Bombay-Karnatak area and the same proceedure has to be adopted. If approved, the C.E.(IP) and the C.E.(G) will be requested to send proposals on this behalf.

8. The new water rates have come into force from 1.7.65. Such being the case the above arrangement even if accepted will not help in assessing the water rate from 1.7.65. Revenue Department may well take Pahani Extract and levy water rates. This ~~matter~~ matter has been discussed some time back in the chambers of the Revenue Secretary and the same has been tentatively agreed. Revenue Department may perhaps see these papers and address the Divisional Commissioner suitably in the matter.

61

JOINT SECRETARY TO GOVT. No. 4612 5 SEP 1966 PUBLIC WORKS DEPARTMENT

5/9/66.

(M.CHANNAPPA):
DY.SECRETARY TO GOVERNMENT.
P.W.D.(I)

SECRETARY TO GOVERNMENT No. PWS 485 Date 6 SEP 1966 PUBLIC WORKS & ELEC. DEPT.

JT.SECY.PW&E.

SECY.PW&E.

M. C. ANTIN,
Jt. Secy., P.W. & Elec. Dept.

Discussed. Secy desired to have a note on the subject

M. C. ANTIN,
Jt. Secy., P.W. & Elec. Dept.

Subject: File No. M. G. S.

in Bombay-Karnatak and I learn that there has been sufficient staff in each P.W.D. Sub Division incharge of irrigation works to attend to such works. But as far as old Mysore area, Hyderabad-Karnatak area ~~of~~ and Madras areas are concerned, there has been no such system ~~of~~ and at present there is no staff also. Such being the case it may not be physically possible for the P.W.D. officers to arrange to take measurements of the areas with crop details for which water has been supplied by the P.W.D. If ~~these works are~~ this were to be done by P.W.D requisite staff will ~~have to~~ be required by P.W.D. on the pattern of staff existing in Bombay-Karnatak area and the same proceedure has to be adopted. If approved, the C.E.(IP) and the C.E.(G) will be requested to send proposals on this behalf.

8. The new water rates have come into force from 1.7.65. Such being the case the above arrangement even if accepted will not help in assessing the water rate from 1.7.65. Revenue Department may well take Pahani Extract and levy water rates. This ~~matter~~ matter has been discussed some time back in the chambers of the Revenue Secretary and the same has been tentatively agreed. Revenue Department may perhaps see these papers and address the Divisional Commissioner suitably in the matter.

61

JOINT SECRETARY TO GOVT. No. 4612 - 5 SEP 1966 PUBLIC WORKS DEPARTMENT

5/9/66.

(M.CHANNAPPA)
DY.SECRETARY TO GOVERNMENT,
P.W.D.(I)

SECRETARY TO GOVERNMENT No. PWS 48 Date - 6 SEP 1966 PUBL. WORKS & ELEC. DEPT.

JT.SECY.PW&E.
SECY.PW&E.

M. C. ANTIN,
Jt. Secy., P.W. & Elec. Dept.

Discussed today.

Discussed. Secy desired to have a note on the subject

went petition
Drug: penalty
- reformation
illustrated

make made
available
not used -
what should
be in gaol?

3 Two cropped
mixed thoughts
came flooding
Scotland with
prohibition -
Mary Rose?

24. principal officer

were to be issued in ~~this behalf~~ in respect of point 4.

19/10/66

(M.Channappa)
Deputy Secretary to Govt.
P.W.D.(Irrigation).

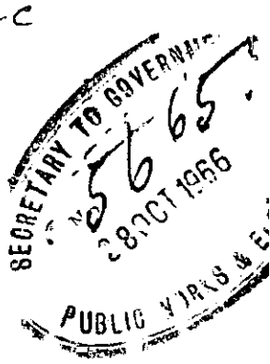
JT.SECY.PW&E.
SECY.PW&E.

Pl speak
20/10

M. C[illegible]NTIN,
Jt. Secy., P.[illegible] Dept.

65) 4. Discussed with the Dy Secretary. Queries along with the clarifications prepared in a statement form and placed at page 1 c/F. May be perused. In case of query no 3. Section 32(3) of Irrigation Act 1965 reads in the last para - "provided that if no water is utilized directly or indirectly from the irrigation works for growing any crop the provisions of sub sections 3 and 4 shall not be applicable". This means that penalty cannot be imposed as per sub Sections 3 and 4 of the Irrigation Act. But as per Section 10 of Levy of Betterment Contribution and Water rate Act water rate is leviable when water is made available for growing a specific crop but not utilised.

I agree with the suggestion made for the query no. 4. L.D. may be consulted for advice



Secy. PW&E.

83(1)/63.

66) pl discuss

67) Discuss with the Secy P.W.D. Reports only to be put up

1) Writ petition pending with regard to the levy of penaulty for unauthorised irrigation. } —

2) Water made available for growing dry crops like ground-nut, cotton, millets etc. If the water is not used and irrigation not done by the cultivator what is the rate chargeable?,

3) During one year two crops of paddy are grown instead of sugar cane where land is localised for sugar cane; What is the water rate?

4) There is no mention about which departmental officer has been prescribed to deal with the cases of unauthorised irrigation. Whether revenue officer or p.w.d. officer?

Supt) Special Irrigation Section.
pn Speau.
11/10/66.

63 1. Points 1-4 above relate to Water Rates that have to be levied in accordance with the Betterment Levy and Water Rate Act. Remarks in respect of each one of these points is given in the form of a Statement enclosed herewith which may be perused, vide page 1 ante
R.D may Lettere remarks also.

64) 3. Law Department may perhaps be consulted to advise regarding the views expressed in the remarks column of the statement and also further action to be taken, if any, or if any notification

66) The Proceedings of the Conference of the Divisional Commissioners held at Bangalore on 29th and 30th November 1966 may please be perused at Pages 55 to 68 of the case file.

Subject No.15:- Vide Pages 63 to 66 of the case file relates to P.W.D. The matters referred to are as follows:-

Problems in the implementation of the Mysore Irrigation Act, 1965, and the Mysore Irrigation Act, (Levy of Water Rate) Rules, 1965.

The points raised are as follows:-

1. Notification to be issued by the Govt. specifing the Tahasildars as prescribed Officers for purpose of Section 28(5) of the Irrigation Act, 1965. -- As per Notification dated 31-12-1965 Vide-Page 70 of the Mysore Irrigation Act, 1965, placed below, the officers of the Public Works Dept. specified are invested with the powers and duties of an Irrigation Officer conferred and imposed under the provisions of the said Act. As per this Notification, the Superintending Engineer, incharge of an Irrigation Circle is the empowered authority under Section 28, in respect of Major Irrigation works. Similarly, the Executive Engineer, incharge of an Irrigation work is an empowered authority under Section 28, in respect of Irrigation works other than the Major Irrigation works. The above Officers can determine the penal water rate to be levied for such an unauthorised use of water. Hence there appears to be no necessity to notify that Tahasildars as the prescribed Officers for purpose of Section 28(5).

p.t.o.

(2) To extend the applicability -- of G.O.No.RD 21 LWF 65 dated 26-5-1965 upto 1-1-1966 to enable the regularisation of penalties levied for unauthorised use of water in T.B.P. or Bellary Dist. between 31-3-65 to 1-1-1966.

Regarding the applicability of G[illegible] dated 26-5-1966 upto 1-1-1966, the matter has already been considered and the Revenue Dept. was requested to issue suitable orders in the matter. (vide para 21 JC/N. file no P.WD 7 LBW 65 part II)

(3) Water rate to be levied when -- two paddy crops are grown in one revenue year on lands localises for sugarcane, whether water rate prescribed for sugarcane or for paddy should be levied.

Regarding the water rate to be levied when two paddy crops are grown on lands localise for sugarcane, It is opined that the rate prescribed for sugarcane has to be levied. In this case in addition to water rate suitable penalty in respect of an offence committed in contravention of provisions made under section 32(3) and under section 55(2) and 13 xx be levied as prescribed for in the Act.

(4) Water rate to be levied when -- water is made available, but cultivation is not effected in the land.

Regarding the water rate to be levied when water is made available, but no cultivation is made, it may be stated that according to the section 10 of the Mysore Irrigation (Levy of Betterment Contribution and Water Rate Act), 1957 as amended by Act 18 of 1965 water rate can be levied.

(a) Whenever water is made available by the Govt. for the use of benefitted lands in respect of Betterment Contribution is levied.

(b) Whenever water is supplied made available or used for purpose of irrigation or any other purpose from any work belonging to or constructed by or on behalf of the Govt. Such being the case, when

xxxxx

(Contd..3)

PWD 6 CAW 66 (25

water is supplied for growing any specified crops like groundnuts, cotton, millets, etc., water rates may be levied even though water is not used and irrigation not done. But, such a levy requires a clear notification regarding the stipulation of the crops to which water would be made available. The Divisional Commissioners have opined that in such cases, higher rate prescribed for a crop for ~~undue~~ irrigation may be imposed. The same may perhaps be agreed to.

Vide page 66.

(5) Water rate to be levied-- if any person used water unauthorisedly.

Regarding the water rate to be levied if any person used water unauthorisedly, it may be stated that he shall be liable under Section 28(5) of the Act to pay a penalty for such unauthorised use of water and also water rate at such rate as may be determined by the prescribed Officer not being less than 10 times and not exceeding 30 times the rate he would ~~xxxxx~~ otherwise ~~be~~ have been required to pay, had he applied for and obtained the permission.

The above points have been examined with reference to the Mysore Irrigation Act and the Rules framed thereunder.

69) D.D may perhaps be Consulted on the above So that the Divisional Commissioners may be informed of the above — With reference to their discussions at the Divisional Commissioners meeting held on 29th & 30th of NOV 1966. (Subject NO 14 Vide pages 63 to 66 of C/F)

Jt. Secy. PWD. No 7209 Date 17/12

Secy. PWD. 80/12 PWS No 6455 Date

Jt Secy P.WD

Secy P. WD 2560)

70)

M. C. ANTIN, Jr. Secy., P.W. & Elec. Dept. 21/12

16/12/66

M. CHANNAPPA, Dy. Secy. to Govt. P.W.D. (Irrgn.)

28) PWD 6 Circ 66.

72) L.D. may kindly see para 6 & 8 ante for advice on the points 3, 4 & 5 thereof.

Yrs etc.

L.D.

23/1/67
CHANDAPPA PATEL
Secy. P. W. & Elecy. Dept.

Secy. PWD. 23/1
PWS No 268 Date

73) The point or points on which opinion of L.D. is required may be kindly stated specifically. Kind attention is also invited to Govt No 4AD 20SM 66 dt 17.5.66.

P.W. + E.

L.D. (Con. I)
691 24 JAN 1967
25/1/67

31/1

F. L. F. ALVARES
Under Secy., Law Dept.

Spl Singalion
Sri Nek.

Flag 'W'

74) In O.M. dated 17.5.66 referred to above, it is laid down that in all cases where the opinion of the Law Dept is sought, the concerned administrative Dept should prepare and forward a comprehensive note indicating all the facts of the case, the points on which the opinion of the Law Dept is sought and its own views if any.

in triplicate.

Flag 'S'

75) Accordingly a comprehensive note is herewith forwarded (in duplicate) which may kindly be marked to Law Dept. The original file may also be sent as reference has been made in the note to certain papers contained in the file.

File enclosed for note

For perusal.

6/2/67.
DS(P)

(76) 8/2/67

M. G. S. | Subject: | File No.

Note -

WD 01050—GPB—8,00,000 13-12-65

Ref- LD's note - at para 73 of the - notes by the Jt. Secy (Revenue Secr.

77

Law Dept. may be requested to offer opinion on the following points:-

1. Water Rate to be levied when two paddy crops are grown ~~from~~ in one revenue year on lands localised for sugarcane, etc

The Mysore Irrigation (Levy of Water Rates) Rules, 1965 as amended by the Mysore Irrigation (Levy of Water Rates) (Amendment) Rules, 1966, prescribe various water rates in respect of the lands specified therein. Some of the ayacutdars raise double paddy crops in the lands localised under wet or perennial blocks. It is stated that according to the cultivation practices, the practice of rotating paddy after two crops of sugarcane is recommended. Now, the point for consideration is whether the water rate prescribed for sugarcane should be levied on such lands or the rate prescribed for paddy should be levied when the land is used for growing paddy instead of sugarcane. It is felt that in such cases the rates prescribed for sugarcane has to be levied.

78

2. Water rate to be levied when water is made available but cultivation is not effected in the ~~xanks~~ land.

As per Section 10 of the Mysore Irrigation (Levy of Betterment Contribution and Water Rate) Act, 1957, as amended by Act 13 of 1965, water rate shall be levied, whenever water is supplied, made available or used for purposes of irrigation or any other purpose from any work belonging to, or constructed by, or on behalf of the Govt. Now a point has arisen whether water rate is to be levied when water is made available, but cultivation is not affected in the land. When water is supplied for growing any specific crops like groundnuts, cotton, millets, etc., water rates may have to be levied according to the prescribed rates even though water is not used and irrigation is not done. The Divisional Commissioners are of the opinion that in such cases higher rates prescribed for a crop under light irrigation may be imposed. However,

p.t.o.

28

Subject: **File No.** PWD 6 LIS 66 **M. G. S.**

Law Department is requested to clarify this points

3. Water rate to be levied if any person used water unauthorisedly

In the Mysore Irrigation (Levy of Betterment Contribution and Water Rate) Act, 1957 as amended, there is no provision for dealing with cases where persons use water unauthorisedly. However, under Section 28(5) of the Mysore Irrigation Act, 1965, a person who uses water unauthorisedly is liable to pay a penalty for such unauthorised use of water and also water rate at such rate as may be determined by the prescribed Officer, not being less than 10 times and not exceeding 30 times the rate he would otherwise have been required to pay, had he applied for and obtained the permission. Law Dept. is requested to clarify whether such persons who use water unauthorisedly may be dealt with under the provisions of the Mysore Irrigation Act, 1965.

79

MYSORE GOVT. SECRETARIAT No. 2 LAW DEPT REGISTRY

M Channappa 8/2/67

(M. Channappa)
Deputy Secretary to Government,
P.W.D. (Irrigation).

Law Department:

The Mysore Irrigation (Levy of Water Rate) Rules 1965 may be kindly made available.

P.W.D.

Shivaraj 8/2/67

MYSORE GOVT. SECRETARIAT No. 154 L2 8 FEB 1967 LAW DEPT REGISTRY

L.D. (Opn.II) No Date 10 FEB 1967

The attention of the Law Dept may be invited to Rules 38 to 44 of C.I. Rules. A copy of the water rate rules with amendments may be supplied in the file for reference.

With the above information, this may be marked back to PWD.

LD) 10/2/67

Under

(80) (81) (82)

609

Flag 'S & T'

M[redacted]. S. | Subject: | File No.

L. D. No. 281 | Law 2 | 1967

LAW DEPARTMENT:

83 In accordance with rule 3(1) of the Mysore Irrigation (Levy of Water Rates) Rules, 1965 as amended by the 1966 rules, the water rate is to be levied considering the crop actually grown in the land. The rate prescribed for paddy crop has to be levied when paddy crop is raised and the rate prescribed for sugarcane levied when that crop is raised.

84 By virtue of section 10 of the Mysore Irrigation (Levy of Betterment Contribution & Water Rate) Act, 1957 as amended by Mysore Act 18 of 1965 it is permissible to levy water rate even when water is made available but no cultivation is effected. However, as rule 3 of the Mysore Irrigation (Levy of Water Rates) Rules provides for the levy on the crop grown, no levy can be made when no crop is grown. The view that in such cases higher rates prescribed for a crop under light irrigation may be imposed would not be correct and would be contrary to rule 3.

85 The Mysore Irrigation Act, 1965 and the Mysore Irrigation (Levy of Betterment Contribution & Water Rate) Act, 1957 are two distinct enactments. Section 28(5) of the Mysore Irrigation Act provides that if any person uses water from an irrigation work without obtaining the permission required under that section, he ~~shall~~ would, in addition to any penalty he incurs under that Act for such unauthorized use of water, ~~would~~

Subject: File No. M. [redacted] S.

L D No. Law II/281/67

WD 01050—GPB—8,00,000 13-12-65

be liable to pay water rate at such rate as may be determined by the prescribed officer not being less than ten times and not exceeding thirty times the rate he would otherwise have been required to pay had he applied for and obtained the permission. Section 55 of that Act specifies the offences under that Act. Therefore, if any offence as contemplated therein is committed by a person he would be liable for the penalty thereunder. The question of liability to pay water rate as stipulated in section 28(5) would only arise if a crop has been grown as only then he would have been required to pay the water rate in accordance with rule 3 of the Mysore Irrigation (Levy of Water Rates) Rules.

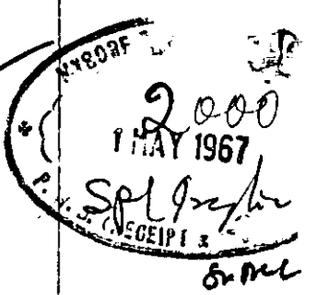
M.K. Srinivasa Iyengar

(M.K.SRINIVASA IYENGAR)
Additional Law Secretary.,
APRIL 29, 1967

29/4

P.W.D.)

2180/als/67



(86) LD's remarks at Paras 83-85 may be perused with reference to the three points raised in our note at Paras 77-79. It is for consideration whether all the Divl. Comrs. as also the C.E. I.P. may be intimated as

32

Subject: **File No.** **M. G. S.**

draft amendments now published Calling for objections.

M dinem.

27/6/67

Sd/- NCV

WD 01050—GPB—8,00,000 13-12-65

9(3) LD's Opinion at Paras 83-85 has been recorded with reference to the Provisions of the Mysore Irrigation (Levy of Water Rates) Rules 1965 as amended by the 1966 rules. The first Point viz.— Water Rate to be levied when two paddy crops are grown in one revenue year on lands localised for sugarcane etc.— is governed by rule 3(1) of the Principal Rules as amended by the rules of 1966. In the Proposed rules it is intended to substitute only the Table - Part I & II which relate to the items of crops and water rate. Since there is no substantial ~~change~~ modification of rule 3(1), the legal position as recorded at Para 83 remains the same.

9(4) The second point viz. Water

water rate to be levied when water is made available but cultivation is not effected in the land, — is also governed by rule 3. As already stated, there will be no substantial modification to rule 3. Therefore the legal position at Para 94 needs no reconsideration.

95) The third point is — water rate to be levied if any Person used water unauthorised, — is nothing to do with the provisions of — water rate rules. Section 28 (5) of the Mysore Irrigation Act is applicable. The legal opinion recorded at para 95 — holds good.

Submitted for kind orders please.
Sd/- 14/7/69
D/S (O).

14/7/'69 96) Subbaiah present before D/S (O). He has been pleased to say that the case may be posted for his personal appearance in the first instance. Hence submitted.
Sd/- 15/7.
D/S (O).

178

GOVERNMENT OF MYSORE

135

U.O.Note.
No.GAD 10 ODC 66.
Encl: One.

G.A.D. (O&M) 'A'.,

Dated 29-6-1967.

Sub : Proceedings of the Divisional Commissioners Conference held on 29th and 30th November, 1966 - Compliance report.

Ref : U.O.Note No.PWD 2172/MI/67 dated 16th June, 1967.

ooooo

A copy of the Proceedings of the Divisional Commissioners Conference held on 29th and 30th November, 1966 is sent herewith as desired.

2765
1967

(P. D'SOUZA),
Section Officer,
G. A.D. (O&M - A).,

To
The P.W. DEPTT.).,

- ooo -

There are no items pertaining to this section. May be referred to the Spl. I. Section.
Spl. I Section
Spl. Irrign) 3/7/67

PWD (Spl. Irrn).
No227 Dated 4.7.67.

Subject

1) The Major Irrigation Section may be requested to make available the file leading to the issue of U.O. Note No. PWD 2172/MI/67 d. 16.6.1967, referred to above.

Major Irrigation

11/7/67

11/7/67

2) The Points raised in the proceedings of the Conference of the Divl. Comrs. held at Bangalore on 29th & 30th Nov. 1966 have already been considered in file and PWD 6 LBS 66 which has been submitted seperately. For perusal

P.T.O.

86
2

PWD 6 Chr 66 - Pt. 2

Proceedings of the Divisional Commrs Conference held in Nov. 1966 at Bangalore

99 ✓ Please see the D.O. letter-received from the GAD (O&M) Section requesting for an early reply in the matter.

100 ✓ In this connection, it may be stated that the several points raised in the Divisional Commrs' Conference held in Nov. 1966 at Bangalore have been considered in file no PWD 6 Chr 66. & the same has been dealt separately with a detailed circular clarifying the points raised in the Divisional Commrs' Conference. It has been ordered in that file to examine further the simplifications if any as a result of amendments recently made to the Works Manual Rules.

101 ✓ In the meanwhile, an interim reply to the D.O. letter of GAD (O&M) stating that the matter is being actively considered & that a reply thereto will be furnished in due course has been proposed at page 16 ante. A draft reply is also enclosed for perusal & kind approval.

102 ✓ This may be submitted to the Secy PWD for his perusal. — with to his orders at page 15 ante.

Secy. PWD. 17/7
PWS No 2987 Date

28/7/67

DS
Secy P. WD)

103 7/7/67

104 ✓ 15/7/67

M. CHANNAPPA,
Br. Secy. to Govt. P.W.D. (Irrgn.)

105 ✓ It should be necessary to read the present reply on the original file instead of the enclosures file. I would like to

M. G. S. | Subject: | File No. PWD 6 (Misc) 66 Supp. 2

WD 01050—GPB—8,00,000 13-12-65

See the main file. The interim reply may go.

Ch
18/7

DS (I)

106 10) [illegible] 18/7

107 11) The draft reply, put up at page 16 of C. may be approved.

DS 18/7

DS

108 12) [illegible] 19/7

109 13) [illegible] 19/7

110 (14) [illegible] 20/7

Issued

Encls.....

Date 21-7-67

Receipt No. 3134/67

111 (15) Orders of the Secretary: DP on 22.8.67

Sd. 21/8

112 (16) The letter from the D/S GAD may be seen at Page 18/CF Also pl. see Paras from 3 onwards. An interim reply has been given on 21-7-1967. The main file referred to in Para 9 is clubbed and noted herewith for Perusal of the Secretary.

M. G. S.

Subject: Implementation of Water Rates Rules 1965 — Clarifications —

File No. PWD 6L/85066

.WD 01050—GPB—8,00,000 13-12-65

113 97) For perusal of paras 77-79, 83-85, ~~of the case note~~ and 87-92 of the case note, and the draft circular placed at pages ~~71-78~~ 85-87 of the case file. Secretary had desired to examine with regard to water rate to be levied, if any person does not cultivate the lands by making use of the water made available to him.

114 98) In the Water Rate Rules notified on 3-8-67 (vide pages ~~71-76~~ 88-90 c.f.) it is made clear that water rate is leviable when water is supplied, made available, or used from an irrigation work. Such being the case when a Notification is issued by a prescribed officer stating that water will be supplied for a particular crop from a particular distributary or area, and even if no crop is ~~used~~ raised then water rate is leviable. However, Law Department, in para 84 is of the opinion that no levy can be made when no crop is grown. ~~Hence~~ It may be desirable that Law Department is requested to make this point clear once again, with reference to the rules now published on 3-8-1967 and give their definite opinion so that the draft circular placed at pages ~~71-73~~ 85-87 may be issued.

Sr. Secy. PWD. No 6066 Date 29/8

P. 88 c.7 'A'

21/8/67

(M.Channappa)
DY.SECRETARY TO GOVT.
PWD (IRRGN.)

Subject Kanda reference is similar to the orders of the Secy PWD on page 87 c.7. This may be seen by the Secy for his kind perusal & orders
23/8/67

JT.SECY.PW&E.

SECY.PW&E.

L.D

115) On 'A' L.D. may be consulted again as water will have been supplied but no Crop is grown

116)

CHANDAPPA PATEL
Secy. P. W. & Elecy. Dept.

Secy. PWD. 22/8 No 3908 Date

RWS

GOVT SECRETARIAT BANGALORE 23 AUG 1967 PWD DEPT

117) file returned as desired

PWD)

22. Munappa 8/11/67

23/8

35

Subject: Implementation of Water Rates Rules 1965 — Clarifications —

File No. PWD 6 LBWS 6/6

M. G. S.

118) The file was required in connection with the discussions to be held with the Rev Sy to know the difficulties confronting in implementing the water rate Rules. Meeting did not take place. Hence the file is again marked to LD for favour of remarks on para 114 ante.

LD)

Section Officer
PWD (Opr) M.G.S.

GOVT. OF KERALA 20 JAN 10 1282

119) Returned as desired.

PWD

F. D'SILVA RES,
Under Secy., Law Dept.

Secy. PWD
20/1/69
Submd.
21/1/69

120) This file was required in connection with the meeting held on 3.1.68 to discuss matters relating to water rates and the clarifications pertaining to the Irrigation Rates. Since the meeting is over, if approved, the file may again be referred to LD for favour of remarks on para 114 ante. It may be noted that this point was also discussed in the said meeting when among others, the Law Sy, Dy Sy LD were present. The Corrected file with amendments has also been referred to LD separately.

PWD 6 LBWS6 part II
Law Sy
5.1.68

On perusal.
23/1/68

(121) Since this point also was referred to in the amendment suggested LD may kindly see and suggest whether it is

L.D. (Opn. II)
No 127 Date 24.1.68

Note Continuation Sheet

Subject..... Implementation of Water Rates Rules

File No..... DRD 68 Supp II

L.D. (Opn. II)
No 488 Date 18.3.68

Reference and markings	Notes and Orders	Para Numbers

Necessary to issue the circular cited in para 114 (Side lined A)

L.D.)

24/1/68.
M. CHANNAPPA
Dy. Secy. to Govt. P.W.D. (Irrgn.)

File Believes as desired. (122)

B. K. MURUDAPPA
Addl. Secy. Law & Parl. Affairs

16/2/68.

P.W.D.)

123

LD may kindly see the circular at pages 85 to 87 ante and agree for its issue →

L.D.)

16/3/68
M. CHANNAPPA
Dy. Secy. to Govt. P.W.D. (Irrgn.)

Stitching space

It appears action is being taken to amend the Mysore Irrigation (Water Rate) Rules and also the Mysore Irrigation Act. In view this it appears not desirable that a circular as proposed is issued.

A.S.
P.W.D.)

MML
19/3

124

L.D. (Opn. II)
No 127 Date 24.1.68

MYSORE GOVT. SECRETARIAT
No. 8241
Date 19 MAR 1968
L.D. DEPARTMENT (SECRETARIAT)

L.D. (Opn. II)
No 488 Date 18.3.68

R. & I. SECTION
P. W. & E. D.
No. 12109
Date 20 MAR 1968
Section Sh.2

P.W.D. 0822 21.3.68

20/3

J. K. Murudappa
19/3/68.
B. K. MURUDAPPA
Addl. Secy. Law & Parl. Affairs.

125

20/3

41

PWD 6LB1066

Note Continuation Sheet

Subject Implementation of water Rates Rules 1965. Clarifications.

File No.....

WD 014899—GPB—8,00,000—11-8-65

Reference and markings	Notes and Orders	Para Numbers
	Remarks of Law Dept. in para 124 ante may please be perused. As stated by the Ld Sri K. Jagannatha paragraph. necessary notifications have been prepared & necessary amendments — are being issued finally in pursuance of PWD G.L.B. 1066 para 11. Jr perused. 26/3/68	126.
JR 26/3/68.		
	DS 127) 27/3 128) 31/3/68	
dr.	Receipt No. 989 from the Divisional Commr. Belgaum.	
	129) D.O. letter No. GB/IRR.SR.348 dt. 30.3.68 from the Divisional Commr. Belgaum addressed to the Secy: P.W.&E. is placed at page 91 of C.F. for perusal, with reference to para 60 ante. Orders of Secy: P.W.&E on P.U.D. "P.P. urgently" sd/- Ch. dt. 4.3.68 Secy: P.W.&E.	
JR 5/4/68.		

Stitching space

Note Continuation Sheet

Subject... Supplementary Claim of Water Rate - Rules 1965 - Claim of Belgaum

File No... PWD 6 CBW 66

Reference and markings	Notes and Orders.	Para Numbers

Belgaum

130) The Divisional Commissioner Gulbarga in his letter at page 91 of C.F. has invited reference to his previous letter No.CB/IRR.SR.348 dated 11-8-1966 which may kindly be perused at page 47 of C.F.

In the above letter he has requested Govt. to issue suitable instructions to P.W.D. Officers to arrange to take measurements of lands for which water has been supplied and to furnish the required information to the Tahsildars regarding the survey No. and the area for which the water has been actually supplied, well intime .

In this connection kindly peruse the remarks already furnished in the above letter at paras 60 to 61 of the Notes-Portion, wherein it is explained clearly that it is not Physically possible for P.W.D Officers to arrange to take measurements of areas with crop details for which water has been supplied by the P.W.D.

~~In view of the above fact~~ It was suggested that the Revenue Department may be requested to address the Divisional Commissioner suitably so that the Tahsildars may go ahead with the levy of water rates instead of depending on P.W.D. Officers for details which could ~~be~~ easily be collected ~~through~~ by the Revenue Agency.

The Revenue Department may therefore ~~requested~~

xxx

P.S.-9.

Stitching Issue

Revised

M. G. S.

8260.

Subject: Implimentation of water Rate Rules 1965. Clarifications.

File No. PWD 6 LBW 66.

RDE 8260/68

135) Omis may be marked to R.D.B with a request to make available to the PWD a copy of the proceedings of the meeting of the DVCs mentioned at para 134 N.F.

M 23/11 S.O.B

Mo 23.11.68

R. D. (B) No. 4966 Date 25-11-68

L.R.S 23/11

136) This may be returned to ~~G.A.D~~ Rev. E Section to obtain a copy of the proceedings from the G.A.D (O & M) as the Conference has been Conducted by the G.A.D.

R.D. (I) No. 8376 Dt. 27.11.68

RW 26/11/68

Rev E) 26/11/68

137) G.A.D (O & M) is requested to make available copy of the proceedings of the meeting of the DVCs mentioned at para 134 N.F.

M 27/11

GAD (O & M)

Mo 27.11.68

Section R.D.E.

R. & I. SE N
G.A.D.
No. 84989
Date 28 NOV 68
Section CHN-A

RS 29/11

M. G. S.
G. A. D (O & M 'A')
No. 3278 Date 29.11.68

Subject: Implementation of water rate Rules 1965. clarifications.

File No. PWD 6.LBW.66 M.G.S.

GAD 3278/om/A/68.

WD 01050—GPB—8,00,000 13-12-65

29/11/68.

GAD. (O&M).

Please see para 134. N.F. A copy of the proceedings of the conference of Heads of Depts Divl Commissioners and deputy commissioners held on 15th and 16th July 1968 is placed at page 91 c.F. The file may now be returned to PWD (Irrigation).

138

54134

29/11/68. V.S

29.11.68 RS 29/XI.

29 Nov SM

S/C

PWD (Spl. Irrgn). No3854 Date 30/11/68

PWD (Irrigation)

11) A Copy of the proceedings of the Conference of Heads of Depts, Divisional Comrs and D.C.s' held on 15, 16th July 1968 is placed at pages 91-137 c.F. which may kindly be perused. As regards the proceedings Copy, no items pertaining to Irrigation Depts have been discussed.

12) The GAD (O&M) while enclosing a Copy of the proceedings in their letter dated 16.8.68 addressed to all Deputy Commrs, have specifically stated that separate instructions will come from the Rev. Depts. regarding the collection of land Revenue Betterment etc.

13) The Rev. Depts may perhaps be requested to initiate the action as mentioned in the above Resolution and issue a Copy of instructions issued.

Copy —

M. G. S. | Subject: | File No. 6 L B 466 (46)
ROC 8554/68

R. & I. SECTION
R.D.
No. 66658
Date 5 DEC 1968
Section

Sir,

R.D. (E) No. 6659 Date 5/12/68

855H

May please be seen in reference of this Dept. 143 Subs. Circ. Ref. in para 133 ante.

30/11/68

(143) 4
3/12

D/S (T)

D/S (O)

Rev Dept

(164) 3/12/68

M. CHANNAPPA.
D. (Irrgn.)

164. Rev. dept. has not issued separate instructions for the collection of land revenue arrears etc. in view of the drought conditions prevailing in the State. However, while reviewing the diaries of the ACs every month instructions are issued to collect arrears in all cases where collections have been suspended.

P.C.O.W

9.12.68

N. J. E. BRITTO,
Under Secy., Rev. Dept.

R. & I. SECTION
P.W.D. (E) P.
No. 65271
Date 4/10 DEC 1968
Section Spl.

4
10/12

The above remarks of the Rev. Dept. are furnished as desired. Ref para 133 ante.

DS
11/12
D/S (O)

12/12/68

PWD (Spl. Irrgn).
No 4017 Date 11/12/68

This may closed and recorded as class 'B'

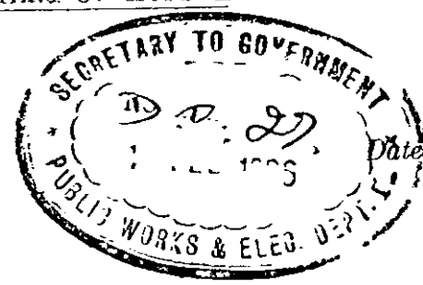
4
17/12

14/12/68

GOVERNMENT OF MYSORE

V.K. Rao,

Divisional Commissioner,
Gulbarga Division.



GULBARGA,

Dated 10-2-1966.

D. O. No. TRS/Dev/2834/65-66

Dear Sri Chandappa Patel:

Subject: The Mysore Irrigation (Levy) of water Rates) Rules 1965-Implementation of Rules.

Please refer to your L.No.PWD 33 LBW 64 dated 29.12.1965 and 17.1.1966, on the above subject.

According to the Mysore Irrigation (Levy of Water Rates) Rules, 1965, different rates are leviable for crops raised under different irrigation sources. According to your letter, the enhanced water rates are supposed to have come into effect from 1st July, 1965.

As you know, the Land Revenue for the Kharif season has already been collected in the Districts of Gulbarga, Raichur and Bidar. The Aksats which indicate the demand have already been prepared. It is almost impossible to modify these Aksats. In my view, it is administratively extremely difficult to collect these enhanced water rates during the current year. There are a number of administrative difficulties also in collecting these water rates during the current year. I would therefore request that the enhanced rates may be brought into effect from 1st of July, 1966. In the meanwhile, I will take all steps necessary to see that these enhanced water rates are entered into the Land Revenue accounts and collections on that basis effected from the next Revenue year.

Spl 9 Lakhs
M put up the
Cover file
15/2

I would request you to consult the Revenue Secretary, about this most important matter and issue modified instructions as early as possible.

Thanking you,

Yours sincerely,

G.V.K. Rao

Sri Chandappa Patel:
Secretary to Government,
Public Works Department,
BANGALORE.

Government of Mysore

Mysore Government Secretariat,
Vidhana Soudha,
No.PWD 33 LBW 64. Bangalore, dated 28 Decr. 1965.

N O T I F I C A T I O N.

In exercise of the powers conferred by section 11 of the Mysore Irrigation(Levy of Betterment contribution and Water Rate)Act,1957 (Mysore Act 28 of 1957), the Government of Mysore hereby makes the following rules,the draft of the same having been previously published as required by sub-section (1)of the said section,in Notification No.PWD 33 LBW 64 dated the 8th November 1965 as G.S.R. 726 in part IV,Section 2-C(i) of the Mysore Gazette dated the 11th November 1965, namely:-

The Mysore Irrigation (Levy of Water Rates) Rules,1965.

1. Title and Commencement:- (1) These rules may be called the Mysore Irrigation (Levy of Water Rates)Rules, 1965.

2(2)They shall be deemed to have come into force on the first day of July,1965.

2. Definitions:- In these rules,unless the context otherwise requires, -

(1) "Act" means the Mysore Irrigation (Levy of Betterment contribution and Water Rate) Act,1957;

(2) "Assistant Commissioner" means the Assistant Commissioner in charge of the Revenue Sub-Division of the area in which the land in respect of which water rate leviable is situated;

(3) "revenue year" means the year commencing on the first day of July;

(4) "section " means a section of the Act;

(5) "Tahsildar" means the Tahsildar entrusted with the land revenue administration of the taluk in which the land in respect of which water rate is leviable is situated.

3. Levy of Water rates.-(1)Subject to the provisions of sub-rules (2),(3) and (4),-

(a) in respect of water supplied,made available or used from the irrigation works specified in Parts I and II of the Table below,for growing the different crops specified in column (1)of the said Table,water rates at the rates specified in the corresponding entry in column (2) of the said Table shall,in respect of each such crop grown ~~in any revenue year~~,be levied:-

TABLE

PART I

Lands irrigated by any irrigation work capable of

... CONTD.

irrigating not more than one hundred acres of land.

Crop (1)	Water Rate per acre (2)
(i) For sugarcane crop ...	Thirty rupees.
(ii) For paddy crop ...	Twelve rupees and fifty paise.
(iii) For a crop of chillies, cotton, gingelly, onion, potato, sweet potato or tobacco ...	Seven rupees and fifty paise.
(iv) For a crop of millet or pulses ...	Five rupees.
(v) Any crop other than those specified in items (i), (ii) (iii) or (iv)	Three rupees.

PART II

Lands irrigated by any irrigation work capable of irrigating more than one hundred acres of land.

Crop (1)	Water Rates per acre (2)
(i) For sugarcane crop-	
(a) to be harvested after a period of sixteen to eighteen months	Sixty rupees.
(b) to be harvested after a period of eleven months.	Forty-five rupees.
(ii) For paddy crop	Eighteen rupees.
(iii) For a crop of chillies, cotton, gingelly, onion, potato, sweet potato or tobacco	Fifteen rupees.
(iv) For a crop of millet or pulses	Seven rupees and fifty paise
(v) Any crop other than those specified in items (i), (ii), (iii) and (iv)	Four rupees.

(b) in respect of water supplied, made available or used from the irrigation works specified in column (1) of the Table below, for the irrigation of lands on which arecanut, plantain, betel leaves or any fruit is grown, water rates at the rates specified in the corresponding entry of column (2) of the said Table shall in respect of each revenue year, be levied:-

TABLE.

Irrigation work (1)	Rate per acre (2)
1. Irrigation work capable of irrigating not more than one hundred acres of land.	Twelve rupees and fifty paise.
2. Irrigation work capable of irrigating more than one hundred acres of land.	Twenty rupees.

contd.....

2. When water is supplied,made available or used from the irrigation works specified in column (1) of the Table below,for the irrigation of any land on which paddy crop is grown twice in any revenue year, water rates at the rates specified in the corresponding entry of column (2) of the said Table,shall be levied:-

TABLE

Irrigation work (1)	Rate per acre (2)
1. Irrigation work capable of irrigating not more than one hundred acres of land	Eighteen rupees and seventy-five paise.
2. Irrigation works capable of irrigating more than one hundred acres of land.	Twenty rupees.

(3) Where water supplied or made available cannot be used for irrigation of any land without baling or using mechanical contrivances installed at the cost of the holder of the land,and the water supplied or made available is used for irrigation after such baling or using of mechanical contrivances,water rate shall be levied at one-half of the rates specified in sub-rules (1) and (2).

(4)Where water is supplied,made available or used for irrigation of any land which had not been irrigated by water before the coming into force of these rules,water rates shall be levied at the following concessional rates during the first three years of irrigation of such lands namely:-

(i) for the first year .... No water rate shall be leviable;

(ii) for the second year .... One-fourth of the rates specified in sub-rules(1) and(2);

(iii) for the third year .... One half of the water rates specified in sub-rules(1) and(2).

4. Determination of water rates.- (1) ~~At the end of the~~ each crop season ~~or revenue year, as the case may be~~, the Tahasildar shall after such enquiry as he deems fit and after satisfying himself that water was supplied, made available or used for the irrigation of any land,prepare a statement of water rates payable by each landholder.

(2)After the preparation of the statement of water rates payable by each landholder under sub-rule (1)the Tahsildar shall issue a notice of demand to the person liable to pay the water rate and cause such notice to be served on such person by tendering or delivering it to such person or his agent, if any, or if he or his agent cannot be found by tendering or delivering it, to an adult member of his family residing with him, or by affixing a copy thereof on his place of residence, or by sending the same by registered post to his last known place of residence.

(3)Any person objecting to the levy of water rate as specified in the notice of demand served on him may,within thirty days from the date of service of such notice appeal to the Assistant Commissioner who shall after giving the appellant an opportunity of being heard, pass such orders on the

....contd.

appeal as he thinks fit.

Provided that the Assistant Commissioner may admit an appeal preferred after the period of thirty days if he is satisfied that the appellant had sufficient cause for not preferring the appeal within that period.

4. The amount of water rate specified in the notice of demand served under sub-rule (2) shall be paid within fifteen days from the date of service of such notice and where an appeal has been preferred under sub-rule(3)against such notice of demand, the amount of water rate payable in accordance with the decision of such appeal, shall be paid within fifteen days from the date of the apellate order.

5. Repeal and savings.- The provisions made for the levy of water rate, water cess or irrigation cess in respect of any lands under any enactment repealed by Section 12 are hereby repealed.

Provided that the said repeal shall not affect the levy and collection of such water rate, water cess or irrigation cess payable under the said provisions before the commencement of these rules and such levy and collection may be made as if the said provisions had not been repealed by these rules.

By Order and in the name of the
Governor of Mysore,

Sd/-
(M. Channappa)
Deputy Secretary to Government,
Public Works Department (Irrigation).

To:- The Compiler, Mysore Gazette, for publication in the next issue of the Gazette.
All the Divisional Commissioners;
All the Chief Engineers (Irrigation Zones);
All the Superintending Engineers;
All the Executive Engineers;
All the Deputy Commissioners;

Copy to:-
Revenue Department;
Weekly Gazette;
Section Guard File.

ncj/d.281265.

GOVERNMENT OF MYSORE

7

G.V.K. Rao,
Divisional Commissioner,
Gulbarga Division.

GULBARGA,

Dated 10 -2- *1966.*

11

D. O. No. TBP|Dev|283u|65-66

Dear Sri Chandappa Patel:

Subject: The Mysore Irrigation (Levy of Water Rates) Rules 1965 - Implementation of Rules.

Please refer to your L.No.PWD 33 LEW 64 dated 29.12.65 and 17.1.1966, on the above subject.

According to the Mysore Irrigation (Levy of Water Rates) Rules, 1965, different rates are leviable for crops raised under different irrigation sources. According to your letter, the enhanced water rates are supposed to have come into effect from 1st July, 1965.

As you know, the Land Revenue for the Kharif season has already been collected in the Districts of Gulbarga, Raichur and Bidar. The Aksats which indicate the demand have already been prepared. It is almost impossible to modify these Aksats. In my view, it is administratively extremely difficult to collect these enhanced water rates during the current year. There are a number of administrative difficulties also in collecting these water rates during the current year. I would therefore request that the enhanced rates may be brought into effect from 1st of July, 1966. In the meanwhile, I will take all steps necessary to see that these enhanced water rates are entered into the Land Revenue accounts and collections on that basis effected from the next Revenue year.

I would request you to consult the Revenue Secretary, about this most important matter and issue modified instructions as early as possible.

Thanking you,

Yours sincerely,

REVENUE SECRETARIAT GOVERNMENT OF MYSORE 17 FEB 1966

Sri Chandappa Patel:
Secretary to Government,
Public Works Department,
BANGALORE.

Copy of the above is forwarded to Sri B.S. Srikantiah, Secretary to Government, Revenue Department, Bangalore, for information.

As the Revenue year has already commenced and kharif collections completed in the three Districts of Gulbarga, Raichur and Bidar, it is impossible to give effect to the enhanced water rates during the current year. It would be best to give effect to the enhanced rates with effect from the next Revenue Year, namely, 1st July, 1966.

2) For f.o. perusal. The proposal may have to be accepted in the circumstances stated

3) Secy (Revs) pls ascertain what the PWD proposes do Bom 17/4/66

16/2

G.V.K. Rao

Divisional Commissioner
Gulbarga.

RD 747 E 66

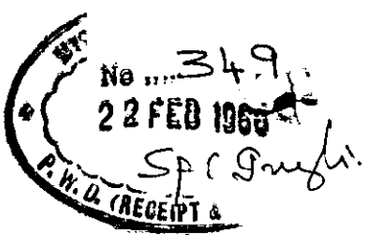
Reference para 3 supra.

P.W.D may see.

21/2/66

24/2 P.W.D)

V. NANJAIAH
Under Secy., Rev., Dept.



Spl Supdt.

1) Poddar pencil.

2) The file bearing no. PWD 33 LBW 66 has been referred to LD on 23.2.66. Hence the return of this file may be awaited.

23/2

To please expedite
upto 6 March 66.

24/2

Subject: The Nyanza Irrigation (Levy & Water Rates) Rules 1965 — Implementation of Rules.

To

The Divisional Commissioner
Gulbaya Division
Gulbaya.

Sir,

I am directed to refer to your D.O. Letter No. T.SP/Dev/2836/65/66 of 10th Dec. 1966 on the above subject and to state that your suggestion to postpone the enforcement of the Water Rates during the current year has been examined in detail and it is regretted that the rates cannot be collected from the current year by overcoming the difficulties if any that may come in collecting the water rates.

The new Rules of Water Rates should be enforced from the current year itself as per Government approval to the case

10

revenue by postponing the enforcement of the new water rates.

Necessary action may please be taken to implement the Rules from the current year itself.

7.2

DS (P)

Copy to the RD (RD 747 E 66).

GOVERNMENT OF MYSORE

No. PWD.6 LBW.66

MYSORE GOVERNMENT SECRETARIAT,
VIDHANA SOUDHA,

FROM

Dated, Bangalore, 28th Feb. 1966.

The *Secretary to the Government of Mysore,*
P.W.& Electricity Department.
To

The Divisional Commissioner,
Gulbarga Division,
GULBARGA.

Sir,

SUB:-The Mysore Irrigation (Levy of Water Rates) Rules, 1965 - Implementation of Rules.

I am directed to refer to your D.O.letter No.TBP/Dev/2834/65-66 dated 10/11-2-1966 on the above subject and to state that your suggestion to postpone the enforcement of the water rates during the current year has been examined in detail.

Govt. desire that the new rules of water rates should be enforced from the current year itself as Govt. cannot afford to lose revenue by postponing the enforcement of the new water rates.

Necessary action may please be taken to implement the rules from the current year itself.

Yours faithfully,

Sd/- (M.CHANNAPPA)
DEPUTY SECRETARY TO GOVT.
P.W.D.(IRRIGATION)

Copy to the Revenue Department (RD 747 E.66)

28/2/66

28/2/66 T/C

(M.CHANNAPPA)
DEPUTY SECRETARY TO GOVT.
P.W.D.(I)

H.V.MATHIAS, IAS
Secretary to Government,
Finance Department.

VIDHANA SOUDHA
BANGALORE.

Dated.....195
16th Mar. 66

12

CONFIDENTIAL

FD 7 FA 66

Dear Sir,

As you are aware, orders of Government have been issued giving effect to the new land revenue settlement rates and the new water rates with effect from 1st July 1965 and the maintenance cess with effect from 1st January 1966. In this connection certain legal and practical difficulties have been raised. As all the Divisional Commissioners are now in Bangalore, Finance Minister wants to take the opportunity and discuss these difficulties with them. Hence a meeting has been called for in this connection on 17th March 1966 at 11-30 A.M. in the Chambers of the Finance Minister. I am to request you kindly to make it convenient to attend the meeting.

Thanking you,

Yours sincerely,

(H.VENKARAJ IAS)

Shri Chandappa Patel,
Secretary, P.W.D.& Elec.
Bangalore.

Submitted to D.S.(I):

Secretary did not come from Delhi today. Most probably he is expected tomorrow afternoon.

For kind information and necessary action.

16/3/66 P.A.

Spl 9 Sutrm
16/3/66

B.S.Srikantiah, IAS.,
Secretary to Government,
Revenue Department.

"VIDHANA SOUDHA"
BANGALORE,

Dated. 18th Mar. *1966.*

No.16/RSPA/66

Dear Shri Patel

I attach to this letter a copy of the summary of the discussions we had regarding collection of land revenue according to revision settlement rates and collection of water rates.

Yours sincerely
B. S. Srikantiah
(B.S.Srikantiah).

SECRETARY TO GOVERNMENT
No Da 265
Date 18 Mar 1966
FUEL & WORKS & EL. DEPT.

Shri Chandappa Patel, IAS.,
Secretary to Government,
P.W.D.

MYSORE GOVT. SECRETARIAT
No L3 1/7 D/SP/66
19 MAR 1966
P.W.D. (SPECIAL IRRIGATION)

Subject
The main file bearing no. PWD 6 LBB 66 relating to the above subject has been sent to Secy. PWD (Irrig.) today.
This will be required after the return of the main file.
19/3
D/SP).

REVENUE DEPARTMENT.

The question of collection of land revenue in accordance with the Revision Settlement rates and the question of collection of water rate in accordance with the recent Notification of the Public Works Department were discussed on 17th March 1966 at the Vidhana Soudha.

The following were present:

1. Shri C.Narasimhamurthy, I.A.S.,
   Divisional Commissioner, Mysore.
2. Shri R. Srinivasan, I.A.S.,
   Divisional Commissioner, Bangalore.
3. Shri K.Balasubramanyam, I.A.S.,
   Commissioner for Excise.
4. Shri G.V.K. Rao, I.A.S.,
   Divisional Commissioner, Gulbarga.
5. Shri B.S.Srikantiah, I.A.S.,
   Revenue Secretary.
6. Shri Channappa,
   Deputy Secretary, Public Works Dept.
7. Shri N.S.Bharath,
   Deputy Secretary, Finance Department.

REVISION SETTLEMENT:

The Revision Settlement rates have been brought into force from 1-7-1965. The Jamabandi for the Revenue year 1965-66 has been conducted and demand booked according to the old rates. It was agreed that the difference so far as the revenue year 1965-66 was concerned should be booked as previous year's demand and included in the demand for the year 1966-67. The Commissioner for Settlement should take steps to see that the index of land in the several areas indicating the extent, assessment fixed at the time of settlement and the name of person responsible for payment of the land revenue is written and supplied to the Tahsildars concerned before the end of July 1966.

The special staff now with the Settlement Department may be continued until this work is completed.

WATER RATE:

It was pointed out that under the rules the

Tahsildar had to issue notices to the individual landholders indicating the water rate due from them in respect of each holding. For this purpose the Tahsildar had to satisfy himself that the water was supplied, made available or used for irrigation. For this purpose the Tahsildars had to receive information from the Public Works Department showing the S.Nos. to which water was supplied or made available for irrigation or which land used water. The Tahsildars should receive information from the Public Works Department in respect of all lands irrigated from Government sources including channels and tanks. The Public Works Department should immediately arrange to supply this information to the Tahsildars.

A

Some additional staff will be necessary for this purpose in the Public Works Department, in the offices of Tahsildars and in the offices of Assistant Commissioners who have been made the Appellate authorities under the Rules. This will be necessary even in respect of the year 1965-66. Public Works Department should send the information without delay.

Rule 4(1) of the Mysore Irrigation (Levy of Water Rate) Rules, 1965, lays down that at the end of each crop season or revenue year, as the case may be, the Tahsildar, shall, after such enquiry as he deems fit, and after satisfying himself that the water was supplied, made available or used for irrigation of any land, prepare a statement of water rates payable by each landholder. It is not clear who should decide whether this statement should be prepared at the end of each crop season or revenue year. The implication of the expression "as the case may be", should be made clear. Instead of leaving this vague expression, it was felt that the rules required to be simplified and made clear. It would be better to simplify the rules

(B)

stating that the statement should be prepared at the end of the crop season for the main crop and a separate levy should be made at a reduced rate for a second crop. In respect of sugar cane crop, the statement might be prepared at the end of the revenue year. These rules should be amended so as to give this meaning.

IRRIGATION CESS:

As per Section 44 of the Mysore Irrigation Act, Rs. 4 per acre per annum has to be levied as cess. It was felt that for the year 1965-66 only the maintenance cess for half year should be collected since the Act has come into force from 1st January 1966. Full amount will be collected along with the demand booked for the year 1966-67.

Regarding the additional staff required for the preparation of the Registers and for collection of tax, it was agreed that the Divisional Commissioners might send up suitable proposals for the minimum staff required and this would be considered by Government.

It was also felt that for pursuing the matter, a Committee consisting of the Divisional Commissioner, Bangalore (Shri R.Srinivasan), the Excise Commissioner and Commissioner of Commercial Taxes (Shri Balasubramanyam), Shri B.S.Srikantiah, Revenue Secretary, Shri Chandappa Patel, the Public Works Department Secretary and Shri N.S.Bharath, Budget Officer & Ex-Officio Deputy Secretary, Finance Department, should be constituted and detailed instructions to be issued so that there might be no ambiguity.

(True copy)

B. S. Srikantiah

(B.S.Srikantiah), 18/3/66
Secretary to Government,
Revenue Department.

B.S.Srikantiah, IAS.,
Secretary to Government,
Revenue Department.

"VIDHANA SOUDHA"
BANGALORE,

Dated. 18th Mar, *1966*.

17

No.16/RSPA/66

Dear Shri Channappa

I attach to this letter a copy of the summary of the discussions we had regarding collection of land revenue according to revision settlement rates and collection of water rates.

Yours sincerely
B.S. Srikantiah
18/3/66
(B.S.Srikantiah).

Seen PWD
18/3/66
DS(I).

Shri Channappa,
Deputy Secretary to Govt.,
P.W.D., Bangalore.

SECRETARY TO GOVERNMENT
No.....
Date 19 MAR 1966
PUBLIC WORKS & ELEC. DEPT.

REVENUE DEPARTMENT.

The question of collection of land revenue in accordance with the Revision Settlement rates and the question of collection of water rate in accordance with the recent Notification of the Public Works Department were discussed on 17th March 1966 at the Vidhana Soudha.

The following were present:

1. Shri C.Narasimhamurthy, I.A.S., Divisional Commissioner, Mysore.
2. Shri R. Srinivasan, I.A.S., Divisional Commissioner, Bangalore.
3. Shri K.Balasubramanyam, I.A.S., Commissioner for Excise.
4. Shri G.V.K. Rao, I.A.S., Divisional Commissioner, Gulbarga.
5. Shri B.S.Srikantiah, I.A.S., Revenue Secretary.
6. Shri Channappa, Deputy Secretary, Public Works Dept.
7. Shri N.S.Bharath, Deputy Secretary, Finance Department.

REVISION SETTLEMENT:

The Revision Settlement rates have been brought into force from 1-7-1965. The Jamabandi for the Revenue year 1965-66 has been conducted and demand booked according to the old rates. It was agreed that the difference so far as the revenue year 1965-66 was concerned should be booked as previous year's demand and included in the demand for the year 1966-67. The Commissioner for Settlement should take steps to see that the index of land in the several areas indicating the extent, assessment fixed at the time of settlement and the name of person responsible for payment of the land revenue is written and supplied to the Tahsildars concerned before the end of July 1966.

The special staff now with the Settlement Department may be continued until this work is completed.

WATER RATE:

It was pointed out that under the rules the

Tahsildar had to issue notices to the individual landholders indicating the water rate due from them in respect of each holding. For this purpose the Tahsildar had to satisfy himself that the water was supplied, made available or used for irrigation. For this purpose the Tahsildars had to receive information from the Public Works Department showing the S.Nos. to which water was supplied or made available for irrigation or which land used water. The Tahsildars should receive information from the Public Works Department in respect of all lands irrigated from Government sources including channels and tanks. The Public Works Department should immediately arrange to supply this information to the Tahsildars.

Some additional staff will be necessary for this purpose in the Public Works Department, in the offices of Tahsildars and in the offices of Assistant Commissioners who have been made the Appellate authorities under the Rules. This will be necessary even in respect of the year 1965-66. Public Works Department should send the information without delay.

Rule 4(1) of the Mysore Irrigation (Levy of Water Rates) Rules, 1965, lays down that at the end of each crop season or revenue year, as the case may be, the Tahsildar, shall, after such enquiry as he deems fit, and after satisfying himself that the water was supplied, made available or used for irrigation of any land, prepare a statement of water rate payable by each landholder. It is not clear who should decide whether this statement should be prepared at the end of each crop season or revenue year. The implication of the expression "as the case may be", should be made clear. Instead of leaving this vague expression, it was felt that the rules required to be simplified and made clear. It would be better to simplify the rules

stating that the statement should be prepared at the end of the crop season for the main crop and a separate levy should be made at a reduced rate for a second crop. In respect of sugar cane crop, the statement might be prepared at the end of the revenue year. These rules should be amended so as to give this meaning.

IRRIGATION CESS:

As per Section 44 of the Mysore Irrigation Act, Rs. 4 per acre per annum has to be levied as cess. It was felt that for the year 1965-66 only the maintenance cess for half year should be collected since the Act has come into force from 1st January 1966. Full amount will be collected along with the demand booked for the year 1966-67.

Regarding the additional staff required for the preparation of the Registers and for collection of tax, it was agreed that the Divisional Commissioners might send up suitable proposals for the minimum staff required and this would be considered by Government.

It was also felt that for pursuing the matter, a Committee consisting of the Divisional Commissioner, Bangalore (Shri R.Srinivasan), the Excise Commissioner and Commissioner of Commercial Taxes (Shri Balasubramanyam), Shri B.S.Srikantiah, Revenue Secretary, Shri Chandappa Patel, the Public Works Department Secretary and Shri N.S.Bharath, Budget Officer & Ex-Officio Deputy Secretary, Finance Department, should be constituted and detailed instructions to be issued so that there might be no ambiguity.

(True copy)

B.S. Srikantiah 16/2/66

(B.S.Srikantiah),
Secretary to Government,
Revenue Department.

Note Continuation Sheet

Subject... Summary of the discussions held on 21-3-1966 regarding steps to be taken for booking the water rate demand ~ File No.....

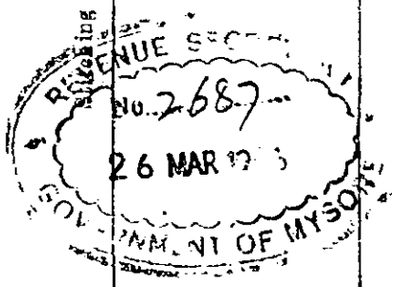
Reference and markings	Notes and Orders	Para Numbers

I attach a copy of the Summary of discussions held on 21st March 1966 in regard to the steps to be taken for booking the water rate demand.

B.S. Srikantiah
26/3/66

(B.S.Srikantiah),
Revenue Secretary.

Shri M.Channappa,
Deputy Secretary,PWD:



5/31 9 Section
26/3

The question of giving detailed instructions to the Field Staff of the Public Works Department and the Revenue Department for booking water rate demands was discussed on 21st March 1966 in Vidhana Soudha.

The following officers were present:-

1. Shri R.Srinivasan, I.A.S., Divisional Commissioner, Bangalore.
2. Shri K.Balasubramanyam, I.A.S., Excise Commissioner in Mysore, Bangalore.
3. Shri B.S.Srikantiah, I.A.S., Secretary to Government, Revenue Department.
4. Shri Chandappa Patel, I.A.S., Secretary to Government, Public Works Department.
5. Shri M.S.Bharath, B.Sc.(Hons), Budget Officer & Ex-officio Deputy Secretary, Finance Department.
6. Shri M. Channappa, Deputy Secretary, Public Works Department.

The demand for water rate to be booked every year depends upon the extent of land to which water has been made available and the crop grown. After the demand is booked, the Tahsildar should intimate the land holder by issuing a notice. The Irrigation works which supply or make available water for raising crops fall into two categories:

(1) The Major Irrigation works which have been directly under the control of the Public Works Department all along, including the recently constructed works;

(2) Minor Tanks and Minor Irrigation Works which have been under the control of the Revenue Department and which are now in the process of being transferred to the Public Works Department

It was agreed that in respect of major irrigation works where distribution of water and its maintenance are attended by the Public Works Department, the particulars regarding the date on which water was made available should be intimated to the Revenue Department every year. The Irrigation Officer must take steps in this respect and also for giving wide publicity to that fact in the locality.

(contd.)

For most of the new works detailed statements showing Survey Numbers benefitted have also been prepared by the Public Works Department for levy of betterment contribution. For these works these statements will constitute the basic material for preparing demand lists for water rate. In respect of older works under the control of the Public Works Department, the area for which consolidated wet or garden assessment was being levied or water rate under the appropriate law, will be deemed to attract liability for water rate under the new law also. If any land owner on whom demand notice is served, contends that the wet or garden crop raised by him does not make use of water made available from a Government Irrigation work, he must contest the demand in appeal.

For the purpose, the information regarding crop assessment will be taken from the details prepared by the Village officers. Until the records available regarding the Ayakat rates for various irrigation works for which water rates or wet assessment or garden assessment were being booked by the Revenue Department will now, the Tahsildar will proceed to prepare the Demand Statement and issue notices to concerned land owners. The Demand Statement should be got prepared village-wise and checked up during the annual "Jamabandi". After the demand statements have been approved, individual notices will have to be issued. A consolidated demand list approved by the Tahsildar shall be a consolidated order regarding the water rate dues for the village concerned and the demand notice will contain the extract of such order relating to the land-holder concerned. In order to ensure that the

(Contd.)

Village Officers exert themselves and take interest in preparing such demand statements. it was agreed that separate remuneration should be paid for this work. It was recommended that 2% of the water rate collection may be paid as remmeration to the Village Officers entrusted with the task of preparation of demand register and other work relating to booking of water rates demand.

In the levy of water rate the following amendment was proposed.

When water is supplied, made available or used from the irrigation works specified in column (1) of the table below, for the irrigation of any land for growing a second crop of paddy in any revenue year, additional water rate as specified in column (2) of the said table shall be levied.

TABLE

Irrigation work.	Rate per acre for second crop
1.	2.
1. Irrigation work capable of irrigating not more than one hundred acres of land.	
2. Irrigation work capable of irrigating more than one hundred acres of land.	

For sugarcane crop, it was agreed that the demand statement should be prepared for each crop season.

B.S. Srikantiah
26/3/42

(B.S.SRIKANTIAH)
Secretary to Government,
Revenue Department.

Note Continuation Sheet

Subject Summary of the discussions held on 21-3-1966 regarding steps to be taken for booking the water rate demand - File No.....

Reference and markings	Notes and Orders	Para Numbers

I attach a copy of the Summary of discussions held on 21st March 1966 in regard to the steps to be taken for booking the water rate demand.

B.S. Srikantiah
26/3/66
(B.S.Srikantiah),
Revenue Secretary.

Shri Chandappa Patel, IAS.,
Secretary, P.W.D.

CHANDAPPA PATEL,
Secy., P.W. & Electy. Dep

SECRETARY TO GOVERNMENT
No. G.24
Date 26 MAR 1966
PUBLIC WORKS & ELEC. DEPT.

REVENUE SECRETARY
No 2687
26 MAR 1966
GOVERNMENT OF MYSORE

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2. Shri K.Balasubramanyam, I.A.S., Excise Commissioner in Mysore, Bangalore.
3. Shri B.S.Srikantiah, I.A.S., Secretary to Government, Revenue Department.
4. Shri Chandappa Patel, I.A.S., Secretary to Government, Public Works Department.
5. Shri N.S.Bharath, B.Sc.(Hons), Budget Officer & Ex-officio Deputy Secretary, Finance Department.
6. Shri M. Channappa, Deputy Secretary, Public Works Department.

The demand for water rate to be booked every year depends upon the extent of land to which water has been made available and the crop grown. After the demand is booked, the Tahsildar should intimate the land holder by issuing a notice. The Irrigation works which supply or make available water for raising crops fall into two categories:

1) The Major Irrigation works which have been directly under the control of the Public Works Department all along, including the recently constructed works;
2) Minor Tanks and Minor Irrigation Works which have been under the control of the Revenue Department and which are now in the process of being transferred to the Public Works Department.

It was agreed that in respect of major irrigation works where distribution of water and its maintenance are attended by the Public Works Department, the particulars regarding the date on which water was made available should be intimated to the Revenue Department every year. The Irrigation Officer may take steps in this respect and also for giving wide publicity to that fact in the locality.

(contd.)

For most of the new works detailed statements showing Survey Numbers benefitted have also been prepared by the Public Works Department for levy of betterment contribution. For these works these statements will constitute the basic material for preparing demand lists for water rate. In respect of older works under the control of the Public Works Department, the area for which consolidated wet or garden assessment was being levied or water rate under the appropriate law, will be deemed to attract liability for water rate under the new law also. If any land owner on whom demand notice is served, contends that the wet or garden crop raised by him does not make use of water made available from a Government Irrigation work, he must contest the demand in appeal.

For the present, the information regarding crop grown should be taken from the 'Pahnis' prepared by the Village Officers. From the records available regarding the Ayakats under the various irrigation works for which water rates or wet assessment or garden assessment were being booked by the Revenue Department till now, the Tahsildar will proceed to prepare the Demand Statement and issue notices to concerned land owners The Demand Statement should be got prepared village-wise and checked up during the annual "Jamabandi". After the demand statements have been approved, individual notices will have to be issued. A consolidated demand list approved by the Tahsildar shall be a consolidated order regarding the water rate dues for the village concerned and the demand notice will contain the extract of such order relating to the land-holder concerned. In order to ensure that the

(Contd.)

Village Officers exert themselves and take interest in preparing such demand statements, it was agreed that separate remuneration should be paid for this work. It was recommended that 2% of the water rate collection may be paid as remuneration to the Village Officers entrusted with the task of preparation of demand register and other work relating to booking of water rates demand.

In the levy of water rate the following amendment was proposed.

When water is supplied, made available or used from the irrigation works specified in column (1) of the table below, for the irrigation of any land for growing a second crop of paddy in any revenue year, additional water rate as specified in column (2) of the said table shall be levied.

TABLE

Irrigation work.	Rate per acre for second crop
1.	2.
1. Irrigation work capable of irrigating not more than one hundred acres of land.	
2. Irrigation work capable of irrigating more than one hundred acres of land.	

For sugarcane crop, it was agreed that the demand statement should be prepared for each crop season.

B. S. Srikantiah

26/3/64

(B.S.SRIKANTIAH)
Secretary to Government,
Revenue Department.

29

Government of Mysore

Mysore Government Secretariat,
Vidhana Soudha,
No.PWD 33 LBW 64. Bangalore, dated 28 Decr. 1965.

N O T I F I C A T I O N.

In exercise of the powers conferred by section 11 of the Mysore Irrigation(Levy of Betterment contribution and Water Rate)Act,1957 (Mysore Act 28 of 1957), the Government of Mysore hereby makes the following rules, the draft of the same having been previously published as required by sub-section (1) of the said section, in Notification No.PWD 33 LBW 64 dated the 8th November 1965 as G.S.R. 726 in part IV, Section 2-C(i) of the Mysore Gazette dated the 11th November 1965, namely:-

The Mysore Irrigation (Levy of Water Rates) Rules,1965.

1. Title and Commencement:- (1) These rules may be called the Mysore Irrigation (Levy of Water Rates) Rules, 1965.

2(2) They shall be deemed to have come into force on the first day of July,1965.

2. Definitions:- In these rules, unless the context otherwise requires, -

(1) "Act" means the Mysore Irrigation (Levy of Betterment contribution and Water Rate) Act,1957;

(2) "Assistant Commissioner" means the Assistant Commissioner in charge of the Revenue Sub-Division of the area in which the land in respect of which water rate leviable is situated;

(3) "revenue year" means the year commencing on the first day of July;

(4) "section " means a section of the Act;

(5) "Tahsildar" means the Tahsildar entrusted with the land revenue administration of the taluk in which the land in respect of which water rate is leviable is situated.

3. Levy of Water rates:-(1) Subject to the provisions of sub-rules (2),(3) and (4),-

(a) in respect of water supplied, made available or used from the irrigation works specified in Parts I and II of the Table below, for growing the different crops specified in column (1) of the said Table, water rates at the rates specified in the corresponding entry in column (2) of the said Table shall, in respect of each such crop grown in any revenue year, be levied:-

TABLE

PART I

Lands irrigated by any irrigation work capable of

... CONTD.

29

Government of Mysore

Mysore Government Secretariat,
Vidhana Soudha,
No.PWD 33 LBW 64. Bangalore, dated 28 Decr. 1965.

NOTIFICATION.

In exercise of the powers conferred by section 11 of the Mysore Irrigation(Levy of Betterment contribution and Water Rate)Act,1957 (Mysore Act 28 of 1957), the Government of Mysore hereby rules the following rules,the draft of the same having been previously published as required by sub-section (1)of the said section,in Notification No.PWD 33 LBW 64 dated the 8th November 1965 as G.S.R. 726 in part IV,Section 2-C(i) of the Mysore Gazette dated the 11th November 1965, namely:-

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(1) "Act" means the Mysore Irrigation (Levy of Betterment contribution and Water Rate) Act,1957;

(2) "Assistant Commissioner" means the Assistant Commissioner in charge of the Revenue Sub-Division of the area in which the land in respect of which water rate leviable is situated;

(3) "revenue year" means the year commencing on the first day of July;

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3. Levy of Water rates:-(1)Subject to the provisions of sub-rules (2),(3) and (4),-

(a) in respect of water supplied,made available or used from the irrigation works specified in Parts I and II of the Table below,for growing the different crops specified in column (1)of the said Table,water rates at the rates specified in the corresponding entry in column (2) of the said Table shall,in respect of each such crop grown in any revenue year,be levied:-

TABLE

PART I

Lands irrigated by any irrigation work capable of

... CONTD.

irrigating not more than one hundred acres of land.

Crop (1)	Water Rate per acre (2)
(i) For sugarcane crop ...	Thirty rupees.
(ii) For paddy crop ...	Twelve rupees and fifty paise.
(iii) For a crop of chillies, cotton, gingelly, onion, potato, sweet potato or tobacco ...	Seven rupees and fifty paise.
(iv) For a crop of millet or pulses ...	Five rupees.
(v) Any crop other than those specified in items (i), (ii) (iii) or (iv)	Three rupees.

PART II

Lands irrigated by any irrigation work capable of irrigating more than one hundred acres of land.

Crop (1)	Water Rates per acre (2)
(i) For sugarcane crop-	
(a) to be harvested after a period of sixteen to eighteen months	Sixty rupees.
(b) to be harvested after a period of eleven months.	Forty-five rupees.
(ii) For paddy crop	Eighteen rupees.
(iii) For a crop of chillies, cotton, gingelly, onion, potato, sweet potato or tobacco	Fifteen rupees.
(iv) For a crop of millet or pulses	Seven rupees and fifty paise
(v) Any crop other than these specified in items (i), (ii), (iii) and (iv)	Four rupees.

(b) in respect of water supplied, made available or used from the irrigation works specified in column (1) of the Table below, for the irrigation of lands on which arecanut, plantain, betel leaves or any fruit is grown, water rates at the rates specified in the corresponding entry of column (2) of the said Table shall in respect of each revenue year, be levied:-

TABLE.

Irrigation work (1)	Rate per acre (2)
1. Irrigation work capable of irrigating not more than one hundred acres of land.	Twelve rupees and fifty paise.
2. Irrigation work capable of irrigating more than one hundred acres of land.	Twenty rupees.

contd.....

2. When water is supplied,made available or used from the irrigation works specified in column (1) of the Table below,for the irrigation of any land on which paddy crop is grown twice in any revenue year, water rates at the rates specified in the corresponding entry of column (2) of the said Table,shall be levied:-

TABLE

Irrigation work (1)	Rate per acre (2)
1. Irrigation work capable of irrigating not more than one hundred acres of land.	Eighteen rupees and seventy-five paise.
2. Irrigation work capable of irrigating more than one hundred acres of land.	Twenty rupees.

(3) Where water supplied or made available cannot be used for irrigation of any land without baling or using mechanical contrivances installed at the cost of the holder of the land,and the water supplied or made available is used for irrigation after such baling or using of mechanical contrivances,water rate shall be levied at one-half of the rates specified in sub-rules (1) and (2).

(4)Where water is supplied,made available or used for irrigation of any land which had not been irrigated by water before the coming into force of these rules,water rates shall be levied at the following concessional rates during the first three years of irrigation of such lands namely:-

(i) for the first year .... No water rate shall be leviable;

(ii) for the second year .... One-fourth of the rates specified in sub-rules(1) and(2);

(iii) for the third year .... One half of the water rates specified in sub-rules(1) and(2).

4. Determination of water rates.- (1) At the end of the each crop season or revenue year,as the case may be,the Tahasildar shall after such enquiry as he deems fit and after satisfying himself that water was supplied, made available or used for the irrigation of any land,prepare a statement of water rates payable by each landholder.

(2)After the preparation of the statement of water rates payable by each landholder under sub-rule (1)the Tahsildar shall issue a notice of demand to the person liable to pay the water rate and cause such notice to be served on such person by tendering or delivering it to such person or his agent, if any, or if he or his agent cannot be found by tendering or delivering it, to an adult member of his family residing with him, or by affixing a copy thereof on his place of residence, or by sending the same by registered post to his last known place of residence.

(3)Any person objecting to the levy of water rate as specified in the notice of demand served on him may,within thirty days from the date of service of such notice appeal to the Assistant Commissioner who shall after giving the appellant an opportunity of being heard, pass such orders on the

....contd.

appeal as he thinks fit.

Provided that the Assistant Commissioner may admit an appeal preferred after the period of thirty days if he is satisfied that the appellant had sufficient cause for not preferring the appeal within that period.

4. The amount of water rate specified in the notice of demand served under sub-rule (2) shall be paid within fifteen days from the date of service of such notice and where an appeal has been preferred under sub-rule(3)against such notice of demand, the amount of water rate payable in accordance with the decision of such appeal, shall be paid within fifteen days from the date of the appellate order.

5. Repeal and savings.- The provisions made for the levy of water rate, water cess or irrigation cess in respect of any lands under any enactment repealed by Section 12 are hereby repealed.

Provided that the said repeal shall not affect the levy and collection of such water rate, water cess or irrigation cess payable under the said provisions before the commencement of these rules and such levy and collection may be made as if the said provisions had not been repealed by these rules.

By Order and in the name of the
Governor of Mysore,

Sd/-

(M. Channappa)
Deputy Secretary to Government,
Public Works Department (Irrigation).

To:- The Compiler, Mysore Gazette, for publication in the next issue of the Gazette.
All the Divisional Commissioners;
All the Chief Engineers (Irrigation Zones);
All the Superintending Engineers;
All the Executive Engineers;
All the Deputy Commissioners;

Copy to:-
Revenue Department;
Weekly Gazette;
Section Guard File.

ncj/d.281265.

DRAFT CIRCULAR.

Sub:-Notification No.PWD 33 LBW 64 dated 28.12.65 relating to Mysore Irrigation (Levy of Water Rates) Rules,1965.

The attention of the officers of the P.W.D. is drawn to clause 4 of the Rules regarding determination of water rates. It is stated that the Tahsildar shall after such enquiry as he deems fit and satisfying himself that water was supplied made available or used for the irrigation of any land, prepare a statement of water rates payable by each land-holder. To enable the Tahsildar to satisfy himself regarding the fact ~~of having~~ that water was supplied or made available ~~the water~~ under several irrigation works in the Taluka, it is necessary that the concerned P.W.D. officers (say, Assistant Engineer of the concerned Taluka) ~~has~~ have to furnish the information to the Tahasildar for having supplied or made available water under several Major, Medium and Minor irrigation works, ~~as it relates to the land coming under that particular Taluka of the concerned Tahsildar.~~ This information has to be supplied regularly every year in respect of all irrigation works immediately the water is allowed for irrigation.

Since the tanks, canals etc. which have been under the control of the Revenue Department have now been transferred to the P.W.D., the P.W.D. officers concerned have to furnish this information in respect of all works hereafter regularly to the Court Tahasildar immediately the water is allowed for irrigation. For this purpose Certain categories of Staff will be required to be maintained in P.W.D. Subdivisions, hence the CE is requested to ~~furnish information~~ to consider the staff required for this purpose and take ~~immediate~~ needful action forward proposals to supply

To implement the above instructions
~~the information to the Revenue authorities.~~

30/7/66

DEPUTY SECRETARY TO GOVT.
P.W.D.(IRRIGATION)

To ~~the Secretary, River Dept~~
All the Chief Engineers
All the Divisional Commrs
All the S.E.'s of the Circles (P.W.D)
All the S.E.'s of the Divisions (P.W.D)
All the Dc's of Districts.

Copy to the Rev Dept.
Copy to all the Secretaries of P.W.D Secs
Secretariat Gazette.
Secretariat Jpr.

Draft

To

The Secretary to Govt. of Mysore.
Revenue Department,
Vidhana Soudha,
Bangalore.

Sir,

Subject: Summary of the Discussions held on 17.3.1966 and on 21.3.1966 regarding steps to be taken for booking the water rate demand.

-:o:-

In connection with the discussions held on 21.3.1966 regarding steps to be taken for booking the water rate demand etc., I am directed to state that the Chief Minister has desired to discuss the subject on 12.4.66 at 4.30 p.m. in his chambers before processing the matter further.

I am therefore to request you to kindly make it convenient to attend the meeting on the said ~~date~~ date.

Yours faithfully,

11/4/66

(M.CHANNAPPA)
DEPUTY SECRETARY TO GOVERNMENT
PUBLIC WORKS DEPARTMENT (IRRN)

Copy to:-

P.A. to Secretary, P.W.D.

GOVERNMENT OF MYSORE

No. PWD 6 LBW 66

MYSORE GOVERNMENT SECRETARIAT,
VIDHANA SOUDHA,

FROM

Dated, Bangalore, April, 11.1966 .

The *Secretary to the Government of Mysore,*
Public Works Department.

To

The Secretary to Govt. of Mysore;
Revenue Department,
Vidhana Soudha,
Bangalore,

Sir,

Subject: Summary of the Discussions held on 17.3.1966 and on 21.3.1966 regarding steps to be taken for booking the water rate demand.

-:0:-

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Yours faithfully,

O/C 11/4/66

(M.CHANNAPPA)
DEPUTY SECRETARY TO GOVERNMENT
PUBLIC WORKS DEPARTMENT (IRRN)

Received 11/4/66

Copy to: P.A. to Secretary, P.W.D.,

Chand; 11/3

GOVERNMENT OF MYSORE

No. PWD 6 LBW 66

MYSORE GOVERNMENT SECRETARIAT,
VIDHANA SOUDHA,

FROM

Dated, Bangalore, April, 11.1966 .

The *Secretary to the Government of Mysore,*
Public Works Department.

To

The Secretary to Govt. of Mysore;
Revenue Department,
Vidhana Soudha,
Bangalore,

Sir,

Subject: Summary of the Discussions held on 17.3.1966 and on 21.3.1966 regarding steps to be taken for booking the water rate demand.

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Yours faithfully,

11/4/66

(M.CHANNAPPA)
DEPUTY SECRETARY TO GOVERNMENT
PUBLIC WORKS DEPARTMENT (IRRN)

Received 11/4/66

Copy to: P.A. to Secretary, P.W.D.,

Chand; 11/3

No. PWD 6 LBW 66

Mysore Government Secretariat,
Public Works Department,
Vidhana Soudha,
Bangalore, dated, 19th April 1966.

CIRCULAR

Sub:-Notification No.PWD 33 LBW 64 dated 28-12-1965 relating to Mysore Irrigation (Levy of Water Rates) Rules, 1965.

The attention of the Officers of the Public Works Department is drawn to clause 4 of the Rules regarding determination of water rates. It is stated that the Tahsildar shall after such enquiry as he deems fit and satisfying himself that water was supplied, made available or used for the irrigation of any land, prepare a statement of water rates payable by each land-holder,. To enable the Tahsildar to satisfy himself regarding the fact that water was supplied or made available under several irrigation works in the Taluka, it is necessary that the concerned P.W.D. Officers (say, Assistant Engineer of the concerned Taluka) have to furnish the information to the Tahasildar for having supplied or made available water under several Major, Medium and Minor Irrigation Works. This information has to be supplied regularly every year in respect of all irrigation works immediately the water is allowed for irrigation.

Since the tanks, canals etc., which have been under the control of the Revenune Department have now been transferred to the Public Works Department, the P.W.D. Officers concerned have to furnish this information in respect of all works hereafter regularly to the concerned Tahasildar immediately the water is allowed for irrigation,. For this purpose certain amount of staff will be required in P.W.D. Subdivisions; hence the Chief Engineers are requested to forward proposals to Government regarding the staff required for this purpose and take needful action to implement the above instructions.

M Channappa 19/4/66

(M.Channappa),
Deputy Secretary to Government,
Public Works Department, (Irrigation).

ISSUED Dated 25.4.66

To

All the Chief Engineers
All the Divisional Commissioners.
All the Superintending Engineers of the Circles (PWD).
All the Executive Engineers of the Divisions, (P D)
All the Deputy Commissioners of Districts.
Copy to the Revenue Department.
Copy to all the Sections of PWD Secretariat.
Weekly Gazette.
Section Guard File.

Government of Mysore

Mysore Government Secretariat,
Vidhana Soudha,
Bangalore, dated 28 Decr. 1965.

No.PWD 33 LBW 64.

N O T I F I C A T I O N.

In exercise of the powers conferred by section 11 of the Mysore Irrigation(Levy of Betterment contribution and Water Rate)Act,1957 (Mysore Act 28 of 1957), the Government of Mysore hereby makes the following rules, the draft of the same having been previously published as required by sub-section (1)of the said section, in Notification No.PWD 33 LBW 64 dated the 8th November 1965 as G.S.R. 726 in part IV, Section 2-C(i) of the Mysore Gazette dated the 11th November 1965. namely:-

The Mysore Irrigation (Levy of Water Rates) Rules,1965.

1. Title and Commencement:- (1) These rules may be called the Mysore Irrigation (Levy of Water Rates)Rules, 1965.

2(2)They shall be deemed to have come into force on the first day of July,1965.

2. Definitions:- In these rules, unless the context otherwise requires, -

(1) "Act" means the Mysore Irrigation (Levy of Betterment contribution and Water Rate) Act,1957;

(2) "Assistant Commissioner" means the Assistant Commissioner in charge of the Revenue Sub-Division of the area in which the land in respect of which water rate leviable is situated;

(3) "revenue year" means the year commencing on the first day of July;

(4) "section " means a section of the Act;

(5) "Tahsildar" means the Tahsildar entrusted with the land revenue administration of the taluk in which the land in respect of which water rate is leviable is situated.

3. Levy of Water rates.-(1)Subject to the provisions of sub-rules (2),(3) and (4),-

(a) in respect of water supplied, made available or used from the irrigation works specified in Parts I and II of the Table below, for growing the different crops specified in column (1)of the said Table, water rates at the rates specified in the corresponding entry in column (2) of the said Table shall, in respect of each such crop grown in any revenue year, be levied:-

TABLE

PART I

Lands irrigated by any irrigation work capable of

... CONTD.

irrigating not more than one hundred acres of land.

Crop (1)	Water Rate per acre (2)
(i) For sugarcane crop ...	Thirty rupees.
(ii) For paddy crop ...	Twelve rupees and fifty paise.
(iii) For a crop of chillies, cotton, gingelly, onion, potato, sweet potato or tobacco ...	Seven rupees and fifty paise.
(iv) For a crop of millet or pulses ...	Five rupees.
(v) Any crop other than those specified in items (i), (ii) (iii) or (iv)	Three rupees.

PART II

Lands irrigated by any irrigation work capable of irrigating more than one hundred acres of land.

Crop (1)	Water Rates per acre (2)
(i) For sugarcane crop-	
(a) to be harvested after a period of sixteen to eighteen months	Sixty rupees.
(b) to be harvested after a period of eleven months.	Forty-five rupees.
(ii) For paddy crop	Eighteen rupees.
(iii) For a crop of chillies, cotton, gingelly, onion, potato, sweet potato or tobacco	Fifteen rupees.
(iv) For a crop of millet or pulses	Seven rupees and fifty paise
(v) Any crop other than those specified in items (i), (ii), (iii) and (iv)	Four rupees.

(b) in respect of water supplied, made available or used from the irrigation works specified in column (1) of the Table below, for the irrigation of lands on which arecanut, plantain, betel leaves or any fruit is grown, water rates at the rates specified in the corresponding entry of column (2) of the said Table shall in respect of each revenue year, be levied:-

TABLE.

Irrigation work (1)	Rate per acre (2)
1. Irrigation work capable of irrigating not more than one hundred acres of land.	Twelve rupees and fifty paise.
2. Irrigation work capable of irrigating more than one hundred acres of land.	Twenty rupees.

contd.....

2. When water is supplied,made available or used from the irrigation works specified in column (1) of the Table below,for the irrigation of any land on which paddy crop is grown twice in any revenue year, water rates at the rates specified in the corresponding entry of column (2) of the said Table,shall be levied:- for the 2nd crop

TABLE

Irrigation work (1)	Rate per acre (2)
1. Irrigation work capable of irrigating not more than one hundred acres of land.	Eighteen rupees and seventy-five paise.
2. Irrigation work capable of irrigating more than one hundred acres of land.	Twenty rupees.

(3) Where water supplied or made available cannot be used for irrigation of any land without baling or using mechanical contrivances installed at the cost of the holder of the land,and the water supplied or made available is used for irrigation after such baling or using of mechanical contrivances,water rate shall be levied at one-half of the rates specified in sub-rules (1) and (2).

(4)Where water is supplied,made available or used for irrigation of any land which had not been irrigated by water before the coming into force of these rules,water rates shall be levied at the following concessional rates during the first three years of irrigation of such lands namely:-

(i) for the first year .... No water rate shall be leviable;

(ii) for the second year .... One-fourth of the rates specified in sub-rules(1) and(2);

(iii) for the third year .... One half of the water rates specified in sub-rules(1) and(2).

4. Determination of water rates.- (1) At the end of the each crop season or revenue year,as the case may be,the Tahasildar shall after such enquiry as he deems fit and after satisfying himself that water was supplied, made available or used for the irrigation of any land,prepare a statement of water rates payable by each landholder.

(2)After the preparation of the statement of water rates payable by each landholder under sub-rule (1)the Tahsildar shall issue a notice of demand to the person liable to pay the water rate and cause such notice to be served on such person by tendering or delivering it to such person or his agent, if any, or if he or his agent cannot be found by tendering or delivering it, to an adult member of his family residing with him, or by affixing a copy thereof on his place of residence, or by sending the same by registered post to his last known place of residence.

(3)Any person objecting to the levy of water rate as specified in the notice of demand served on him may,within thirty days from the date of service of such notice appeal to the Assistant Commissioner who shall after giving the appellant an opportunity of being heard, pass such orders on the

....contd.

41

appeal as he thinks fit.

Provided that the Assistant Commissioner may admit an appeal preferred after the period of thirty days if he is satisfied that the appellant had sufficient cause for not preferring the appeal within that period.

4. The amount of water rate specified in the notice of demand served under sub-rule (2) shall be paid within fifteen days from the date of service of such notice and where an appeal has been preferred under sub-rule(3)against such notice of demand, the amount of water rate payable in accordance with the decision of such appeal, shall be paid within fifteen days from the date of the appellate order.

5. Repeal and savings.- The provisions made for the levy of water rate, water cess or irrigation cess in respect of any lands under any enactment repealed by Section 12 are hereby repealed.

Provided that the said repeal shall not affect the levy and collection of such water rate, water cess or irrigation cess payable under the said provisions before the commencement of these rules and such levy and collection may be made as if the said provisions had not been repealed by these rules.

By Order and in the name of the
Governor of Mysore,

Sd/-

(M. Channappa)
Deputy Secretary to Government,
Public Works Department (Irrigation).

To--The Compiler, Mysore Gazette, for publication in the next issue of the Gazette.
All the Divisional Commissioners;
All the Chief Engineers (Irrigation Zones);
All the Superintending Engineers;
All the Executive Engineers;
All the Deputy Commissioners;

Copy to:-
Revenue Department;
Weekly Gazette;
Section Guard File.

ncj/d.281265.

GOVERNMENT OF MYSORE

No.PWD 33 LBW 66. Mysore Government Secretariat,
Vidhana Soudha,
Bangalore, dated 22nd September'66.

NOTIFICATION

In exercise of the powers conferred by Section 11 of the Mysore Irrigation(Levy of Betterment Contribution and Water Rate)Act, 1957(Mysore Act 28 of 1957), the Government of Mysore hereby makes the following rules, the draft of the same having been previously published as required by Sub-Section(1) of the said Section, in Notification No.PWD 33-LBW 64 dated the 31st May 1966 as G.S.R.No.901 in Part-IV, Section 2-C(i) of the Mysore Gazette dated the 9th June 1966, namely:-

The Mysore Irrigation(Levy of Water Rates)(Amendment) Rules, 1966.

1. Title and commencement:-(1) These rules may be called the Mysore Irrigation(Levy of Water Rates)(Amendment)Rules, 1966.

(2) They shall be deemed to have come into force on the first day of April 1966.

2. Amendment of Rule 3:- In rule 3 of the Mysore Irrigation(Levy of Water Rates) Rules,1965,(hereinafter referred to as the principal rules),

(1) in sub-rule(1)(a) of the principal rules, the expression "in any Revenue Year" at the end may be deleted.

(a) for the Table in clause(a), the following Table shall be substituted, namely:-

TABLE

PART-I.

Lands irrigated by any irrigation work capable of irrigating not more than one hundred acres of land.

Crop (1)	Water Rate per acre. (2)
(i) For sugarcane crop	Forty rupees.
(ii) For Paddy Crop	Sixteen rupees.
(iii) For a crop of chillies, Cotton, Gingelly, Groundnut, onion, potato, sweet-potato or tobacco	Ten rupees.
(iv) For a crop of millet or pulses.	Six rupees.
(v) any crop other than those specified in items (i), (ii), (iii) or (iv).	Four rupees.

Cont...2

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PART T-II

Lands irrigated by any irrigation work capable of irrigating more than one hundred acres of land.

Crop (1)	Water rate per acre (2)
(i) For sugarcane crop	
(a) to be harvested after a period of sixteen to eighteen months.	Eighty rupees.
(b) To be harvested after a period of eleven months.	Sixty rupees.
(ii) For paddy crop	Twenty four rupees.
(iii) For a crop of chillies, cotton, gingelly, groundnut onion, potato-sweet potato or tobacco,	Twenty rupees.
(iv) For a crop of millet or pulses.	Ten rupees.
(v) Any crop other than those specified in items (i), (ii), (iii) and (iv)	Five rupees.

(b) in clause (b), after the word 'arecanut' the word 'Pepper' shall be inserted, and for the Table, the following Table shall be substituted, namely:-

TABLE

Irrigation work (1)	Rate per acre (2)
1. Irrigation work capable of irrigating not more than one hundred acres of land.	Sixteen rupees.
2. Irrigation work capable of irrigating more than one hundred acres of land.	Twenty six rupees.

(2) In sub-rule (2) of the Principal rules the word "for the second crop" shall be added at the end, and for the Table, the following Table shall be substituted, namely:-

TABLE

Irrigation work (1)	Rate per acre (2)
1. Irrigation work capable of irrigating not more than one hundred acres of land.	Eight rupees.
2. Irrigation work capable of irrigating more than one hundred acres of land.	Twelve rupees.

3. Amendment of rule 4:-In sub-rule (1) of rule 4 of the principal rules, for the words "At the end of each crop season", the words "In respect of each crop" shall be substituted.

4. Saving:-Notwithstanding the amendments made by rule 2,

Cont.....3

water rates at the rates specified in rule 3 of the principal rules as in force before the said amendments shall be levied and collected in respect of the period from 1st July 1965 to 31st March 1966.

BY ORDER AND IN THE NAME OF THE
GOVERNOR OF MYSORE,

M. Channappa 22/9/66.

(M.CHANNAPPA)
Deputy Secretary to Government,
Public Works & Electricity Deptt.

To

The Compiler, Mysore Gazette for publication in the next issue of the Gazette.

All the Divisional Commissioners.

All the Chief Engineers(Irrigation Zones).

All the Superintending Engineers.

All the Executive Engineers.

All the Deputy Commissioners.

Copy to:-

1) Revenue Department
2) Weekly Gazette,
3) Section Guard File.

vkn.

Draft. - -

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No.PWD 6 LBW 66

To

1. The Divisional Commissioners of ~~all the~~ Divisions.
2. The C.E. (Genel), Bangalore.
3. The C.E. (I.P), Bangalore.
4. All S.Es. of Circles (Irrigation Zone).
5. All the E.Es.
6. All the D.Cs.

Sir,

Sub:- Notification No.PWD 33 LBW 64 dated 22-9-1966-- Issue of Revised water rates.

I am directed to state that the amendements to the Mysore Irrigation (Levy of Water Rates) Rules, 1965, have been issued in Govt. Notification No.PWD 33 LBW 64 dated 22-9-1966, a copy of which has also been endorsed to you separately. These amendements to the above Rules as finalised are also being published in the next issue of the Gazette and have come into effect from 1/4/66.

Copy enclosed.

In this connection, I am to invite a reference to the Circular No.PWD 6 LBW 66 dated 19-4-1966 wherein it has been explained briefly the procedure to be adopted in the determination of water rates.

P 37 to 47.

Under Rule 4 of the Rules as amended now it is laid down that in respect of each crop or the Revenue Year as the case may be the Tahasildar after satisfying himself of such enquiry as he deems fit and after satisfying himself that water was supplied, made available or used for irrigation of any land, should prepare a statement of water rates payable by each landholder in respect of each crop. He will issue a notice of demand to the person liable to pay the water rates, and have steps for the recovery of the same. ~~and will also cause action to serve the notices on such persons liable for payment of water rates. of the crops~~

p. .o.

The revised water rates have been finally issued in Govt.Notification dated 22-9-1966 referred to above and published in the Official Gazette. These rates may be kept in view while levying the water rates.

It may please be noted that water rates ~~should~~ at the rates specified in Rule 3 of the principal rules as in force before the above amendement, shall be levied and collected in respect of the period from 1-7-1965 to 31-3-1966.

The P.W.D. Officers are requested to co-operate with the Revenue Dept. in this task and see that any additional information required by them is furnished as early as possible.

Necessary immediate action may please be taken to implement the above Rules.

Yours faithfully,

Deputy Secretary to Government,
P.W.D. (Irrigation).

Copy to Revenue Department.

(7)

Subject:- Mysore Irrigation (Levy of Water Rates) Rules 1965. Implementation of ....

MYSORE GOVT. SECRE... No. 1113 16 AUG 1966 P.W.D. (REC.)

No. GB/IRR.SR-348.
Belgaum. Dated 11/8/66.

To

The Secretary to Government,
Publick Works Department (Irrigation).,
Bangalore.

Sir,

MYSORE GOVT. SECRETARIAT No ... 16 AUG 19... P W D (SPECIAL IRRIGATION)

P-37 62

According to Rule 4 of the Mysore Irrigation (Levy of Water Rates) Rules 1965, it has been laid down that in each crop season the Tahsildar shall, after such enquiry as deemed fit and after satisfying himself that water was supplied, made available or used for the irrigation of any land, prepare a statement of water rates payable by each land-holders. In Government Circular No. PWB 6 LBW 66 dated 19-4-1966, Government have instructed that, to enable the Tahsildar to satisfy himself regarding the fact that water was supplied or made available to the lands under the several irrigation works in the Taluka, it is necessary that the concerned P.W.D. Officers viz; the Assistant Engineers of the Taluka should furnish the information regularly every year for having supplied or made available water under several major, medium and minor irrigation works. In order to avoid disputes at a later date by the land-holders about the area for which the water has been supplied, the Superintending Engineers were requested to instruct the Publick Works Department Officers under them to arrange to take measurement of lands for which water has been supplied and by holding "Ruzuwat" meetings as was done before, to furnish a statement, showing the name of land-holder, S.No. and the area for which water has been actually supplied to the Tahsildars well in time, to enable the latter to proceed to levy the water rates according to Water Rate Rules. A copy of this office letter No. GB/IRR.SR-348 dated 6-6-1966 is enclosed herewith for information.

(A)

2/- In reply to the above, the Superintending Engineer, GHataprabha Project Circle Hidkal has intimated that Government circular does not stipulate that the P.W.D. Officers have to measure crops as done hithertofore. According to these orders, he states, the Assistant Engineers have to merely inform the Tahsildars under which distributions or outlets, water has been let out for irrigation. If P.W.D. is required to take measurement of such crops after holding the 'Ruzuwat' meeting etc. he requests that specific orders of Government may be obtained. A copy of his letter No. IRN/CB/4758-60 dated 20-6-1966 is enclosed for information.

3/- Unless information regarding the lands and the area for which water is supplied is furnished by the P.W.D. it will not be possible for the Tahsildars to work out the demand of water & rate and to take action for its recovery, since the Revenue Department has not been provided with any additional staff for ascertaining the lands and the areas for which water has been supplied under the Irrigation Projects.

12/9/66

P.T.O.

The suggestion to hold 'Ruzuwat' meetings before furnishing the requisite information to the Tahsildars was made to the Superintending Engineer with a view to minimise the disputes and to avoid later complications. As the responsibility for release of water from the Irrigation Projects is upon the P.W.D., the information regarding the lands etc., to which water is supplied is readily available vests with that Department. It is not expected that the P.W.D. should record the measurements of each crop in each S.No. to which water is supplied, but it would be sufficient if atleast the Department furnishes the information regarding the area to which water has been supplied on each land after measurement. This will not only facilitate the work of recovery of water rate by the Tahsildars, but at the same time it will not be an additional burden to the P.W.D.,

4/- In the circumstances, I request you to move Government to kindly issue suitable instructions to the P.W.D. Officers to arrange to take measurements of lands for which water has been supplied and to furnish the requisite information to the Tahsildars regarding the S.No. and the area for which water has been actually supplied well in time.

5/- Since the water rate is to be recovered with retrospective effect from first July 1965 by the Tahsildars, I request you to obtain immediate orders of Government.

Yours faithfully,

A.M.Patil.

O.C.Signed by A.M.Patil.
Divl. Commr.

(A.M.Patil.)
For Divisional Commissioner,
Belgaum.

smj/-

Hence it is felt that the time is not ripe yet for a regid regulation of supplies in the Gh.L.B.C. in terms of Sec. 27, in the absence of a storage reservoir which would ensure regular supplies. However, these questions could be taken up for detailed consideration after the Constitution of the Consultative Committee contemplated under the Act.

copy

51 (37)

No.CB/IRR.T.549
Belgaum, 6-6-1966

To

The Superintending Engineers,
Belgaum Circle,Belgaum,Dharwar Circle,Dharwar,
Ghataprabha Project Circle,Hidkal Camp,
Malaprabha Project Circle, Saundatti.

Sir,

Sub:-Mysore Irrigation (Levy of Water Rates)Rules,1965.
Implementation of ...

According to Rule 4 of the Mysore Irrigation (Levy of Water Rates) Rules,1965 at the end of each crop season or Revenue year as the case may be, the Tahsildar shall after such enquiry as he deems fit and after satisfying himself that water was supplied, made available or used for the irrigation of any land, prepare a statement of water rates payable by each land-holders. In Government circular No.PWD 0 [illegible] LPW 65 dated 19-4-1966, Government have instructed that, to enable the Tahsildar to satisfy himself regarding the fact that water was supplied or made available to the lands under the several irrigation works in the Taluka, it is necessary that the concerned P.W.D. officers viz., the Assistant Engineers of the Taluka should furnish the information regularly every year for having supplied or made available water under several major, medium and minor irrigation works. In order to avoid disputes at a later date by the land-holders about the area for which the water has been supplied, it is necessary that the P.W.D. officers should arrange to take measurement of lands for which water has been supplied and hold "Bhaumat" meetings as was done before and furnish a statement showing the name of land-holder, S.No. and the area for which water has been actually supplied to the Tahsildars well in time, to enable the latter to proceed to levy the water rates according to Water Rate Rules. You are therefore,requested to issue necessary instructions to the subordinate staff to take action to implement the above instructions immediately.

On receipt of the above statements from the P.W.D.Officers,the Tahsildars will prepare a statement of water rate payable by each landholder as required by sub-rule 1 of Rule 4 and proceed to issue the notices of demand under sub-Rule 2 and to recover the same under Sub Rule 4. The Deputy Commissioners are being requested to issue suitable instructions to the Tahsildars in this behalf to obtain Survey Number-wise information regarding the area for which the water has been supplied and to take action to recover water rates at the rates mentioned in Rule 5 of the Water Rate Rules.

Yours faithfully,

Sd/- R.Anandakrishna
Divisional Commissioner,
Belgaum.

Copy to the Deputy Commissioners in the Division for information and necessary action.

Sd/xx
for Divisional Commissioner,
Belgaum.

" Copy "

cmg/6/ 6

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R[illegible]. PWD 6 LBW 66

Mysore Government Secretariat,
Public Works Department,
Vidhana Soudha,
Bangalore, dated, 19th April 1966.

CIRCULAR

Sub:-Notification No.PWD 33 LBW 64 dated 28-12-1965 relating to Mysore Irrigation (Levy of Water Rates) Rules, 1965.

The attention of the Officers of the Public Works Department is drawn to clause 4 of the Rules regarding determination of water rates. It is stated that the Tahsildar shall after such enquiry as he deems fit and satisfying himself that water was supplied, made available or used for the irrigation of any land, prepare a statement of water rates payable by each land-holder,. To enable the Tahsildar to satisfy himself regarding the fact that water was supplied or made available under several irrigation works in the Taluka, it is necessary that the concerned P.W.D. Officers (say, Assistant Engineer of the concerned Taluka) have to furnish the information to the Tahasildar for having supplied or made available water under several Major, Medium and Minor Irrigation Works. This information has to be supplied regularly every year in respect of all irrigation works immediately the water is allowed for irrigation.

Since the tanks, canals etc., which have been under the control of the Revenue Department have now been transferred to the Public Works Department, the P.W.D. Officers concerned have to furnish this information in respect of all works hereafter regularly to the concerned Tahasildar immediately the water is allowed for irrigation,. For this purpose certain amount of staff will be required in P.W.D. Subdivisions; hence the Chief Engineers are requested to forward proposals to Government regarding the staff required for this purpose and take needful action to implement the above instructions.

M. Channappa 19/4/66

(M.Channappa),
Deputy Secretary to Government,
Public Works Department, (Irrigation).

To

All the Chief Engineers
All the Divisional Commissioners.
All the Superintending Engineers of the Circles (PWD).
All the Executive Engineers of the Divisions, (P.D)
All the Deputy Commissioners of Districts.
Copy to the Revenue Department.
Copy to all the Sections of PWD Secretariat.
Weekly Gazette.
Section Guard File.

STATEMENT

Sl.No.	Item	Remarks.
1.	Writ petition pending with regard to the Levy of penalty for unauthorised Irrigation.	1. No such writ petitions are pending in P.W.D. It is not known if writ petitionsin this regard have been received in Revenue Department. Hence it is that Department that has to take necessary further action in the matter.
2.	Water made available for growing dry crops like ground-nut, cotton, millets, etc. If the water is not used and irrigation not done by the cultivator what is the rate chargeable?	2. According to Section 10 of the Mysore Irrigation (Levy of Betternment Contribution and Water Rate) Act 1957 as amended by Act No.13 of 1966 water rate can be levied.- (a) whenever water is made available by the Govt. for the use of any benefitted land in respect of which Betterment Contribution is levied. (b) whenever water is supplied, made available, or used for purposes of irrigation or any other purpose from any work belonging to constructed by, or on behalf of the Government. Such being the case when water is supplied for growing any specified crop like groundnut, cotton, millet, etc. water rates may be levied even though water is not used and irrigation not done.
3.	During one year two crops of paddy are grown instead of sugarcane where land is localised for sugarcane; What is the water rate?	3. In such a situation as this and when water is supplied for a specific crop it may perhaps be desirable to levy water rate as in the case of a crop which he should have raised by making use of the water supplied to him. In having grown a different crop other than the one specified naturally he will have violated ~~naturally~~ the prescribed crop and the period of sowing such crop etc, Hence in addition to water rate prescribed for the crop which he should have grown, suitable penalty in respect of the offence committed by the beneficiary in contravention of the provision made under section 32(3) and under section 55 (11) (13) be levied as provided for in the Act.
4.	There is no mention about which Departmental Officer has been prescribed to deal with the cases of unauthorised irrigation. Whether revenue Officer or P.W.D.Officer?	4. The unauthorised irrigation as mentioned in this case relates to the unauthorised use of water as mentioned in Section 28(5) of the irrigation Act. It is stated if any person uses water from an irrigation work without obtaining the permission required under this section he shall in addition to any penalty he incurs under this Act for such unauthorised use of water be liable to pay water rate at such rate as

1	2
Contd. (4)	may be determined by the prescribed officer not being less than 10 times and not exceeding 30 times the rate he would otherwise would have been required to pay had he applied for and obtained the permission. Here the prescribed officer is to be defined in respect of Major, Medium and Minor Irrigation works. In Govt. Notification dated 31-12-1965 vide page 70 of the Irrigation Act of 1965 the Public Works Department Officers have been invested with powers and duties of Irrigation Officer under Section 28 of the Act as per the Table specified therein.
Copy enclosed	In view of the above probably it may be sufficient if the same Officers are notified as prescribed Officers for purposes of determining the water rate to be paid by the person who has unauthorisedly made use of the water. Perhaps a notification to this effect will suffice the need.

54.

No. B.G. 202.

The Mysore Gazette

PUBLISHED BY AUTHORITY

(EXTRAORDINARY)

PART IV—2-C (ii)

BANGALORE, FRIDAY, DECEMBER 31, 1965 (PUSHYA 10, SAKA ERA 1887). | No. 247

PUBLIC WORKS SECRETARIAT (IRRIGATION).

NOTIFICATION.

Bangalore dated 31st December 1965.

S. O. 3722.—In exercise of the powers conferred by Section 3 of the Mysore Irrigation Act, 1965 (Mysore Act 16 of 1965), the Government of Mysore hereby invests the officers of the Public Works Department, specified in column (1) of the following Table with the powers and duties of an Irrigation Officer conferred and imposed under the provisions of the said Act, specified in the corresponding entry of column (2) of the said Table.

TABLE

(1)	(2)
Chief Engineer for Irrigation.	Sections 5 (2), 6, 46 and 52.
Superintending Engineer, in-charge of the Irrigation work.	Sections 12, 13 and 53 and sections 27, 28, 32 and 49 in respect of Major Irrigation works
Executive Engineer in-charge of the irrigation work.	Sections 7, 8, 15, 18, 19, 21, 22, 23, 24, 25, 26, 31, 33, 35, 46, 47, 48, 50, 51, 56, 63 and 64 and sections 27, 28, 32 and 49 in respect of irrigation works other than Major Irrigation works.
Assistant Engineer in-charge of the irrigation work.	Section 40.

For purposes of this notification "major irrigation work" means an Irrigation work costing more than Rupees five crores.

[PWD 63 LBW 64-5]

By Order and in the name of the Governor of Mysore.

M. CHANNAPPA, *Deputy Secy,*

Printed by the Director of Printing, Sty. & Publications at the Govt. Press, B'lore.

T. 1739

D. O. No. [illegible] (Ser)
No 10996 Date 15/12.

No.GAD 8 CDC 66 Dated : 7th Dec.1966.

Proceedings of the Conference of the Divisional Commissioners held at Bangalore on 29th and 30th Nov.1966.

ooooo

Present on 29.11.1966		Present on 30.11.1966	
1.	The Development Commissioner & Special Secretary to Govt.	1.	The Divisional Commissioner, Bangalore.
2.	The Divisional Commissioner, Bangalore.	2.	- do - Mysore.
3.	- do - Mysore.	3.	- do - Gulbarga.
4.	- do - Gulbarga.	4.	- do - Belgaum.
5.	- do - Belgaum.	5.	The Secretary to Govt. Revenue Dept.
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1. Economy in expenditure under plan and non-plan schemes, 1966 - 67.

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Action : Revenue Department)

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a) After considerable discussion it was agreed that the Government in the Revenue Department may be requested to clarify early the points raised by the Divisional Commissioner, Bangalore, in his letter No.HOA.86/C 4606/66-67 dated 20.10.1966 addressed to the Revenue Secretary.

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b) The Development Commissioner clarified that in Belgaum Division, it was not necessary to appoint the Talathis as Panchayat Secretaries.

9. Reorganization of the Revenue Department - Uniform staffing pattern in the several Revenue Offices - Divisional Commissioners' Office.

Government in their letter dated 5.9.1966 have intimated that proposals for revised staff involving extra cost cannot be considered at least as far as the current year is concerned. It was the considered view of the Divisional Commissioners that in view of the fact that (a) more powers have been delegated recently to the Divisional Commissioners in revenue, development and municipal matters and (b) the administration

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of the Divisional Commissioners' Offices should be quick and efficient, the staff proposed for their Offices should be sanctioned in spite of the additional cost. It was decided to move the Government to sanction the staff with effect from the next financial year.

(Action : Revenue Department)

10. Filling up of the vacant posts of Gramsevaks, Panchayat Extension Officers and Additional Agricultural Extension Officers, for the District under the I.A.A.P. and High yielding varieties programme.

Government have sanctioned the posts of additional Gramsevaks and Additional Agricultural Extension Officers to each of the Districts under the I.A.A.P. and High Yielding Varieties Programme. These posts have not been filled up in the Blocks covered by the I.A.A.P. The regular Gramasevaks are unable to cope with the work connected with these programmes. It is not correct for the Director of Agriculture to think that these posts need not be filled up. The Divisional Commissioners were of the considered opinion that in the interest of agricultural development, it is absolutely necessary to have full strength of Additional Gramsevaks and Additional A.E.Os. sanctioned by the Government. It was also urged by them that all the vacancies of Panchayat Extension Officers should be filled up in the interest of improving the administration of the Village Panchayats. Further, it was urged that the posts of District Agricultural Officers should be filled up urgently. It was suggested for the consideration of Government that the D.A.Os. in the I.A.A.P. Districts where there are Project Officers, may be taken out of them and

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put in other Districts like Hassan or Chickmagalur.

(Action : D.H.P.C / A & F. Departments)

11. Abolition of posts of Hereditary Village Officers - continuance of the existing Village Officers without hereditary rights.

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a) In view of the difficulty in getting suitable candidates and in the interest of administration, it was agreed that the existing Village Officers who are below 55 years of age as on 1.12.1966 and who have passed the Vth Standard or its equivalent should be continued in relaxation of the age and qualification already prescribed.

b) It was also agreed that the new recruits could be usefully attached to the Village Officers (who are continued) for training for a period of 3 months, if necessary, by creating supernumerary posts of Village Accountants. It was felt that this type of training would be more useful and would stand the new recruits in good stead in their work.

c) The Secretary to Government in the Revenue Department pointed out that those who have already been selected, recruited and trained should first be appointed.

d) The Revenue Secretary also clarified that the minor village offices also stood abolished. He stated that the posts of Patels were also abolished but, for certain difficulties in making alternative arrangements, they were being continued for a year. It was agreed that the Revenue Secretary may be requested to clarify the position regarding the points raised by the Divisional Commissioners of Bangalore and Belgaum in connection with the abolition of the minor village offices.

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c) In order to assist the Village Accountant in the collection of land revenue, it was urged that the posts of minor village servants may be retained. If this was not possible, minor village servants on the analogy of the Ugranis in Bombay - Karnatak area may be appointed on part - time basis.

It was decided to recommend the above proposals to Government.

(Action : Revenue Department)

12. Creation of an Accounts Cell in each District Office and posting of a District Accountant.

The Divisional Commissioner, Gulbarga, has addressed the Secretary to Government in the Revenue Department (vide letter No.Acct/Misc/1083/66-67 dated 18.6.1966) to create an Accounts Section in each District and to accord sanction for the post of the District Accountant in the grade of Taluk Sheristhedar. The orders of Government in this regard are awaited. In view of the priority given to the disposal of audit objections and the need to furnish replies to several points raised by the Accountant General in the context of performance Audit taken up by him, it was felt that it was essential that an Accounts Section should be organized and strengthened in each District Office. In the absence of such a Unit, it will be difficult to ensure proper cash transactions, compliance with Codal provisions and adherence to the Budget Calendar in furnishing estimates etc. The Cell would also guide and supervise the accounts work in the subordinate Revenue Offices. It was, therefore, agreed that Government may be moved to sanction the creation of an Accounts Cell in each

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District Office with the following staff:

District Accountant
(in the grade of Taluk
Sheristhedar)

I Division Clerk

II Division Clerk

(Action : Revenue Department)

13. Construction of Village Chavadis and their maintenance - Adoption of uniform policy in Gulbarga Division.

It was agreed that there should be an uniform procedure in regard to the construction of Chavadis and their maintenance. After considering all aspects of the problem in general and that of ensuring publication of Government notifications in village Chavadis, in particular, the Divisional Commissioners were of the view that chavadis, wherever they exist, may be made to vest in the Village Panchayats, subject to observance of such conditions relating to maintenance, non-alienation, conduct of Revenue work in the Chavadis, etc., as the Government may impose. It was felt that the provisions of Section 49 of the Mysore Village Panchayats and Local Boards Act, 1959 were sufficient to enable Government to prescribe a procedure on the above lines. It was agreed that the Government may be requested to issue early orders in this behalf after consulting the Law Department, if necessary.

(Action : Revenue Department).

14. Problems in the implementation of the Mysore Irrigation Act, 1965 and the Mysore Irrigation (Levy of Water Rate) Rules, 1965.

The points raised by the Divisional Commissioner, Gulbarga, were considered. The consensus of opinion was as

follows:

1) The Government may be moved to notify the Tahsildars as the "Prescribed Officers" for the purposes of Section 28(5) of the Mysore Irrigation Act, 1965. This point has been explained to Government in the Public Works Department by the Divisional Commissioner, Gulbarga, in his letter No.Rev.EWR.2834/65-66 dated 24.9.1966.

(Action : Public Works Department)

2) The Divisional Commissioner, Gulbarga, has requested the Government to extend the applicability of G.O.No. RD 21 EWR 65 dated 26.5.65 upto 1.1.1966 to enable regularization of penalties levied for unauthorized use of water in TBP area in Bellary District between 31.3.1965 to 1.1.1966. The Divisional Commissioner was requested to pursue this matter with the Government since the subject related only to one District.

(Action : Divisional Commissioner, Gulbarga)

3) Sub-Rule 2 of Rule 3 of the Water Rate Rules prescribes Rs.18.75 and Rs.20/- to be the water rate per acre on the lands (under irrigation sources of less than one hundred and more than onehundred acres of ayacut respectively) on which paddy crop is grown twice in any revenue year. The point for clarification is whether the rate prescribed is for each crop separately. It was noted that the point has been clarified in the Notification dated 22nd September 1966 amending the Mysore Irrigation (Levy of water rate) Rules 1966.

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4) The Divisional Commissioner, Gulbarga, has pointed out that in some Taluks of Gulbarga Division the revision settlement has not been effected; that the wet assessment under old irrigation works is an integrated assessment and that no separate dry assessment is shown in the records for each survey number. The maximum of dry assessment for each village is shown in the Sethwar. He has, therefore, suggested that the land revenue assessment for each survey number may be worked out on the basis of the maximum rate for the village and that the water rate levied at the prescribed rate. It was noted that the position in this regard has been clarified in G.O.No.RD 109 CWR 63 dated 25th June 1965.

5) Some of the ayacutdars raise double paddy crops in the lands localized under wet or perennial blocks. It is stated that according to cultivation practices the practice of rotating paddy after two crops of sugar-cane is recommended. Hence, the water rate leviable on such double paddy crop in the lands localized for sugar-cane has to be clarified i.e., whether the water rate prescribed for sugar-cane should be levied on such lands or the rate prescribed for paddy should be levied when the land is used for growing paddy instead of sugar-cane. It was felt that in such cases the rate prescribed for sugar-cane has to be levied. The Secretary, P.W.D., who was present during the discussion on the subject agreed to have the matter examined and issue necessary clarification.

(Action : P. W. D.)

6. (a) Where individual or general permissions have been issued for raising a summer crop with surplus water

available on single crop light irrigated or paddy lands, it was felt that the rate that has to be levied may be a single water rate.

(b) The rules do not specify the rate that has to be levied when water is made available but cultivation is not effected in the land. The issue is, if choice of different crops under light irrigation is given to the cultivator. whether the rate for the crop which is the maximum should be levied or the one which is the minimum. To induce the farmers to utilize the water made available from Government source it was felt that in all such cases higher rate prescribed for a crop under light irrigation may be imposed. It would be better to specify the rate that has to be levied if water is made available but not used.

(c) If any person uses water unauthorisedly the rate for such unauthorized use has not been prescribed. It was, however, felt that the provisions of sub-section (5) of Section 28 of the Mysore Irrigation Act, 1965 may be invoked in such cases and suitable action taken.

The Secretary to Government in the P.W.D., who was present during the discussion on this subject was requested to have the above issues examined in consultation with the Special Secretary to Government, State Revenues:/the Secy.to Govt.Revenue Dept, tary to Government. Law Department and to obtain and communicate the orders of Government on them at an early date.

(Action : P. W. D.)

15. Contruction of Buildings for Primary Health Centres in Development Blocks, Gulbarga Dn.

The Divisional Commissioner, Gulbarga, has stated that the public and the Taluk Boards concerned have been

agitating that no construction of Primary Health Centre Buildings has been taken up, although they were sanctioned long back. He has proposed that a portion of the building costing Rs.22,500/- might be constructed immediately, as there would be no commitment on the part of the Government and the rest of the building could be taken up when the grants became available. It is stated that the Officers of the P.W.D. have not taken up the construction of building costing Rs.22,500/- on the ground that the estimates are not administratively sanctioned by the Officers of the Public Health Department It is felt that if the buildings are not constructed by utilizing the public contribution (Rs.12,500) and Block share (Rs.10,000), it might not be possible to construct them in future as some of the Blocks enter Stage II when they will have no provision to meet the Block share of Rs.10,000/-

Considering the above facts the Divisional Commissioners came to the conclusion that the Government may be moved to give a special direction to undertake the construction of buildings for each of the Primary Health Centres by utilizing an amount of Rs.22.500/- and to instruct the Director of Health Services to approve of the estimates sent to him.

(Action : DHPC / PHS Dept.)

16. Departmental Examinations - Grant of exemption to officials attaining the age of 45 years - considering the effect of grant of such exemption. ...

The Divisional Commissioner, Belgaum, has proposed that in order to improve the tone of administration, grant of exemption from passing departmental examinations as a matter of course to those who have attained 45 years of age should be dispensed with and that such exemption may be granted only

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to those who have attempted to pass the prescribed tests and who have attained the age of 50 years and that the rules be amended accordingly.

The Divisional Commissioners were informed that Government are seized of the problem and that a Committee on Departmental Examinations is going into the question. In view of this, it was agreed that the subject may not be pursued

(Action :- GAD - Service Rules)

T.S.Narayanrao 7/12/66

(T.S.NARAYAN RAO)
Deputy Secretary to Government
General Administration Department
(AR & O&M)

To

The Divisional Commissioners
The Dev.Commissioner & Special Secretary to Government
The Secretaries to Government.

Copy to:

RD / GAD - O&M 'A' & 'B' / Service Rules. / DHPC
A & F / P.W.D.

2031 ... SEPT 61

GOVERNMENT OF MYSORE

OFFICE OF THE CHIEF ENGINEER, PWD.,
Irrigation Projects in Mysore,
Park House, Bangalore.1.

No:IRN/ORD/FA5. 1044 Dated. 29th Nov 66.

MYSORE GOVT. SECRETARIAT
No.....
1 DEC 1966
W D (SPECIAL IRRIGATION)

To

The Secretary to Government,
Public Works Department,
"Vidhana Soudha",
Bangalore.

Sir,

Subject:- The Mysore Irrigation Act 1965 Clarification of Powers under Section 28(5).

The Mysore Irrigation Act 1965 provides under Sec.28 rules for application for permission to use water from an Irrigation work under Sub-Section 1,2,3,and 4. The Sub-Section 5 prescribes the penalty in case of unauthorised use of water. Further the Sub-Section states that unauthorised use of water is liable for penalty as may be determined by the prescribed officer.

The Government Notification No: PWD. 63. LBW. 64-5. dt.31-12-65, invests the officers of the Public Works Department with the powers and duties of an Irrigation Officer conferred and imposed under the provision of Section 28-1,2,3 and 4 of the said Act. But neither the Notification nor the Irrigation rules specify who is the prescribed officer for levying penalty for unauthorised use of water under section 28(5).

In this connection, it is to be stated that it would be in the interest of Project control over the Irrigation management that the Irrigation Officer as prescribed in the Government Notification No: PWD. 63. LBW. 64-5. dated. 31-12-1965, should also be the "prescribed officer" empowered to impose penalty for the unauthorised use of water referred to in section 28(5) of the Mysore Irrigation ACT. Necessary orders of Government in the matter may please be obtained and communicated early.

Yours faithfully,

for Chief Engineer, PWD.,
Irrigation Projects.

29/11/66.

Reg. No. B.G. 202.

The Mysore Gazette

PUBLISHED BY AUTHORITY

(EXTRAORDINARY)

PART IV—2-C (ii)

BANGALORE, FRIDAY, DECEMBER 31, 1965 (PUSHYA 10, SAKA ERA 1887). | No. 247

PUBLIC WORKS SECRETARIAT (IRRIGATION).

NOTIFICATION.

Bangalore dated 31st December 1965.

S. O. 3722.—In exercise of the powers conferred by Section 3 of the Mysore Irrigation Act, 1965 (Mysore Act 16 of 1965), the Government of Mysore hereby invests the officers of the Public Works Department, specified in column (1) of the following Table with the powers and duties of an Irrigation Officer conferred and imposed under the provisions of the said Act, specified in the corresponding entry of column (2) of the said Table.

TABLE

(1)	(2)
Chief Engineer for Irrigation.	Sections 5 (2), 6, 46 and 52.
Superintending Engineer, in-charge of the Irrigation work.	Sections 12, 13 and 53 and sections 27, 28, 32 and 49 in respect of Major Irrigation works
Executive Engineer in-charge of the irrigation work.	Sections 7, 8, 15, 18, 19, 21, 22, 23, 24, 25, 26, 31, 33, 35, 46, 47, 48, 50, 51, 56, 63 and 64 and sections 27, 28, 32 and 49 in respect of irrigation works other than Major Irrigation works.
Assistant Engineer in-charge of the irrigation work.	Section 40.

For purposes of this notification "major irrigation work" means an Irrigation work costing more than Rupees five crores.

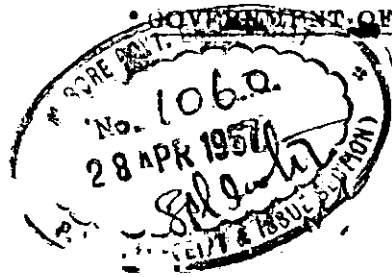
[PWD 63 LBW 64-5]

By Order and in the name of the Governor of Mysore.

M. CHANNAPPA, *Deputy Secy,*

Printed by the Director of Printing, Sty. & Publications at the Govt. Press, Mysore.

GOVERNMENT OF MYSORE



OFFICE OF THE
DIVISIONAL COMMISSIONER &
ex officio ADMINISTRATOR, T.B.P.,
GULBARGA.

Dated 26th April, 1967.

No TBP/DEV/135/66-67

To

The Secretary to the Govt. of Mysore,
Public Works Department,
Vidhana Soudha,
BANGALORE.

Sir,

Sub: Mysore Irrigation Act 1965 - Penalty for unauthorised irrigation, Mis-use of water and wastage of water.

The Mysore Irrigation Act provides for levy of penalty in cases of irrigation without permission as required under section 28. The Act also contemplates certain measures in case of mis-use and wastage of water. But the procedure for levy of penalties has not been clarified and the rules are not specific on this issue. I would therefore request that uniform rules on the subject of regulation of irrigation water under Major Irrigation Projects containing provision for levy of penalties for breach of rules may be framed, so that the provisions of Mysore Irrigation Act could be enforced vigorously.

Yours faithfully,

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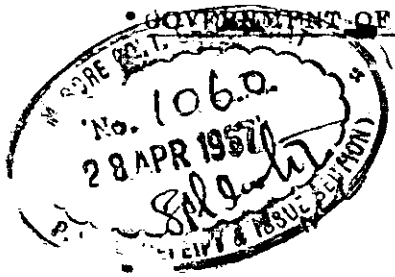
GOVERNMENT OF MYSORE



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No.GAD 8 CDC 66 Dated : 7th Dec.1966.

Proceedings of the Conference of the Divisional Commissioners held at Bangalore on 29th and 30th Nov.1966.

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Present on 29.11.1966		Present on 30.11.1966	
1.	The Development Commissioner & Special Secretary to Govt.	1.	The Divisional Commissioner, Bangalore
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3.	- do - Mysore.	3.	- do - Gulbarga
4.	- do - Gulbarga,	4.	- do - Belgaum.
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b) The Development Commissioner clarified that in Belgaum Division, it was not necessary to appoint the Talathis as Panchayat Secretaries.

9. Reorganization of the Revenue Department - Uniform staffing pattern in the several Revenue Offices - Divisional Commissioners' Office.

Government in their letter dated 5.9.1966 have intimated that proposals for revised staff involving extra cost cannot be considered at least as far as the current year is concerned. It was the considered view of the Divisional Commissioners that in view of the fact that (a) more powers have been delegated recently to the Divisional Commissioners in revenue, development and municipal matters and (b) the administration

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of the Divisional Commissioners' Offices should be quick and efficient, the staff proposed for their Offices should be sanctioned in spite of the additional cost. It was decided to move the Government to sanction the staff with effect from the next financial year.

(Action : Revenue Department)

10. Filling up of the vacant posts of Gramsevaks, Panchayat Extension Officers and Additional Agricultural Extension Officers, for the District under the I.A.A.P. and High yielding varieties programme.

Government have sanctioned the posts of additional Gramsevaks and Additional Agricultural Extension Officers to each of the Districts under the I.A.A.P. and High Yielding Varieties Programme. These posts have not been filled up in the Blocks covered by the I.A.A.P. The regular Gramsevaks are unable to cope with the work connected with these programmes. It is not correct for the Director of Agriculture to think that these posts need not be filled up. The Divisional Commissioners were of the considered opinion that in the interest of agricultural development. it is absolutely necessary to have full strength of Additional Gramsevaks and Additional A.E.Os. sanctioned by the Government. It was also urged by them that all the vacancies of Panchayat Extension Officers should be filled up in the interest of improving the administration of the Village Panchayats. Further, it was urged that the posts of District Agricultural Officers should be filled up urgently. It was suggested for the consideration of Government that the D.A.Os. in the I.A.A.P. Districts where there are Project Officers, may be taken out of them and

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put in other Districts like Hassan or Chickmagalur.

(Action : D.H.F.C / A & F. Departments)

...

11. Abolition of posts of Hereditary Village Officers - continuance of the existing Village Officers without hereditary rights.

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a) In view of the difficulty in getting suitable candidates and in the interest of administration, it was agreed that the existing Village Officers who are below 55 years of age as on 1.12.1966 and who have passed the Vth Standard or its equivalent should be continued in relaxation of the age and qualification already prescribed.

b) It was also agreed that the new recruits could be usefully attached to the Village Officers (who are continued) for training for a period of 3 months, if necessary, by creating supernumerary posts of Village Accountants. It was felt that this type of training would be more useful and would stand the new recruits in good stead in their work

c) The Secretary to Government in the Revenue Department pointed out that those who have already been selected, recruited and trained should first be appointed.

d) The Revenue Secretary also clarified that the minor village offices also stood abolished. He stated that the posts of Patels were also abolished but, for certain difficulties in making alternative arrangements, they were being continued for a year. It was agreed that the Revenue Secretary may be requested to clarify the position regarding the points raised by the Divisional Commissioners of Bangalore and Belgaum in connection with the abolition of the minor village offices.

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e) In order to assist the Village Accountant in the collection of land revenue, it was urged that the posts of minor village servants may be retained. If this was not possible, minor village servants on the analogy of the Ugranis in Bombay - Karnatak area may be appointed on part-time basis.

It was decided to recommend the above proposals to Government.

(Action: Revenue Department)

12. Creation of an Accounts Cell in each District Office and posting of a District Accountant.

The Divisional Commissioner, Gulbarga, has addressed the Secretary to Government in the Revenue Department (vide letter No.Acct/Misc/1088/66-67 dated 18.8.1966) to create an Accounts Section in each District and to accord sanction for the post of the District Accountant in the grade of Taluk Sheristhedar. The orders of Government in this regard are awaited. In view of the priority given to the disposal of audit objections and the need to furnish replies to several points raised by the Accountant General in the context of performance Audit taken up by him, it was felt that it was essential that an Accounts Section should be organized and strengthened in each District Office. In the absence of such a Unit, it will be difficult to ensure proper cash transactions, compliance with Codal provisions and adherence to the Budget Calendar in furnishing estimates etc. The Cell would also guide and supervise the accounts work in the subordinate Revenue Offices. It was, therefore, agreed that Government may be moved to sanction the creation of an Accounts Cell in each

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District Office with the following staff:

District Accountant (in the grade of Taluk Sheristhedar)	..	1
I Division Clerk	..	1
II Division Clerk	..	1

(Action : Revenue Department)

13. Construction of Village Chavadis and their maintenance - Adoption of uniform policy in Gulbarga Division.

It was agreed that there should be an uniform procedure in regard to the construction of Chavadis and their maintenance. After considering all aspects of the problem in general and that of ensuring publication of Government notifications in village Chavadis, in particular, the Divisional Commissioners were of the view that chavadis, wherever they exist, may be made to vest in the Village Panchayats subject to observance of such conditions relating to maintenance, non-alienation, conduct of Revenue work in the Chavadis, etc., as the Government may impose. It was felt that the provisions of Section 49 of the Mysore Village Panchayats and Local Boards Act, 1959 were sufficient to enable Government to prescribe a procedure on the above lines. It was agreed that the Government may be requested to issue early orders in this behalf after consulting the Law Department, if necessary.

(Action : Revenue Department).

14. Problems in the implementation of the Mysore Irrigation Act, 1965 and the Mysore Irrigation (Levy of Water Rate) Rules, 1965.

The points raised by the Divisional Commissioner, Gulbarga, were considered. The consensus of opinion was as

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follows:

1) The Government may be moved to notify the Tahsildars as the "Prescribed Officers" for the purposes of Section 28(5) of the Mysore Irrigation Act, 1965. This point has been explained to Government in the Public Works Department by the Divisional Commissioner, Gulbarga. in his letter No.Rev.MP.2834/65-66 dated 24.9.1966.

(Action : Public Works Department)

2) The Divisional Commissioner, Gulbarga, has requested the Government to extend the applicability of G.O.No. RD 21 EWP 65 dated 26.5.65 upto 1.1.1966 to enable regularization of penalties levied for unauthorized use of water in TBP area in Bellary District between 31.3.1965 to 1.1.1966. The Divisional Commissioner was requested to pursue this matter with the Government since the subject related only to one District.

(Action : Divisional Commissioner, Gulbarga)

3) Sub-Rule 2 of Rule 3 of the Water Rate Rules prescribes Rs.18.75 and Rs.20/- to be the water rate per acre on the lands (under irrigation sources of less than one hundred and more than onehundred acres of ayacut respectively) on which paddy crop is grown twice in any revenue year. The point for clarification is whether the rate prescribed is for each crop separately. It was noted that the point has been clarified in the Notification dated 22nd September 1966 amending the Mysore Irrigation (Levy of water rate) Rules, 1966.

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4) The Divisional Commissioner, Gulbarga, has pointed out that in some Taluks of Gulbarga Division the revision settlement has not been effected; that the wet assessment under old irrigation works is an integrated assessment and that no separate dry assessment is shown in the records for each survey number. The maximum of dry assessment for each village is shown in the Sethwar. He has, therefore, suggested that the land revenue assessment for each survey number may be worked out on the basis of the maximum rate for the village and that the water rate levied at the prescribed rate. It was noted that the position in this regard has been clarified in G.O.No.RD 109 CWR 63, dated 25th June 1965;

5) Some of the ayacutdars raise double paddy crops in the lands localized under wet or perennial blocks. It is stated that according to cultivation practices the practice of rotating paddy after two crops of sugar-cane is recommended. Hence, the water rate leviable on such double paddy crop in the lands localized for sugar-cane has to be clarified i.e., whether the water rate prescribed for sugar-cane should be levied on such lands or the rate prescribed for paddy should be levied when the land is used for growing paddy instead of sugar-cane. It was felt that in such cases the rate prescribed for sugar-cane has to be levied. The Secretary, P.W.D., who was present during the discussion on the subject agreed to have the matter examined and issue necessary clarification.

(Action : P. W. D.)

6. (a) Where individual or general permissions have been issued for raising a summer crop with surplus water

available on single crop light irrigated or paddy lands, it was felt that the rate that has to be levied may be a single water rate.

(b) The rules do not specify the rate that has to be levied when water is made available but cultivation is not effected in the land. The issue is, if choice of different crops under light irrigation is given to the cultivator, whether the rate for the crop which is the maximum should be levied or the one which is the minimum. To induce the farmers to utilize the water made available from Government source it was felt that in all such cases higher rate prescribed for a crop under light irrigation may be imposed. It would be better to specify the rate that has to be levied if water is made available but not used.

(c) If any person uses water unauthorisedly the rate for such unauthorized use has not been prescribed. It was, however, felt that the provisions of sub-section (5) of Section 28 of the Mysore Irrigation Act, 1965 may be invoked in such cases and suitable action taken.

The Secretary to Government in the P.W.D., who was present during the discussion on this subject was requested to have the above issues examined in consultation with the Special Secretary to Government, State Revenues; the Secy.to Govt.Revenue Dept, the Secretary to Government, Law Department and to obtain and communicate the orders of Government on them at an early date.

(Action : P. W. D.)

15. Contruction of Buildings for Primary Health Centres in Development Blocks, Gulbarga Dn.

The Divisional Commissioner, Gulbarga, has stated that the public and the Taluk Boards concerned have been

agitating that no construction of Primary Health Centre Buildings has been taken up, although they were sanctioned long back. He has proposed that a portion of the building costing Rs.22,500/- might be constructed immediately, as there would be no commitment on the part of the Government and the rest of the building could be taken up when the grants became available. It is stated that the Officers of the P.W.D. have not taken up the construction of building costing Rs.22,500/- on the ground that the estimates are not administratively sanctioned by the Officers of the Public Health Department. It is felt that if the buildings are not constructed by utilizing the public contribution (Rs.12,500) and Block shar (Rs.10,000), it might not be possible to construct them in future as some of the Blocks enter Stage II when they will have no provision to meet the Block share of Rs.10,000/-

Considering the above facts the Divisional Commissioners came to the conclusion that the Government may be moved to give a special direction to undertake the construction of buildings for each of the Primary Health Centres by utilizing an amount of Rs.22,500/- and to instruct the Director of Health Services to approve of the estimates sent to him.

(Action : DHPC / PHS Dept.)

16. Departmental Examinations - Grant of exemption to officials attaining the age of 45 years - considering the effect of grant of such exemption.

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The Divisional Commissioner, Belgaum, has proposed that in order to improve the tone of administration, grant of exemption from passing departmental examinations as a matter of course to those who have attained 45 years of age should be dispensed with and that such exemption may be granted only

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to those who have attempted to pass the prescribed tests and who have attained the age of 50 years and that the rules be amended accordingly.

The Divisional Commissioners were informed that Government are seized of the problem and that a Committee on Departmental Examinations is going into the question. In view of this, it was agreed that the subject may not be pursued.

(Action : GAD - Service Rules)

T.S.Narayanarao 7/12/66

(T.S.NARAYAN RAO)
Deputy Secretary to Government
General Administration Department
(AR & OM)

To

The Divisional Commissioners
The Dev.Commissioner & Special,
Secretary to Government.
The Secretaries to Government.

Copy to:

RD / GAD - O&M 'A' & 'B' / Service Rules. / DHPC
A & F / P.W.D.

T.S.NARAYAN RAO,
Deputy Secretary to Government,
General Administration Department
(A.R. AND O&M (Services)).,

D.O. No. GAD 10 ODC 66

Mysore Government Secretariat
Bangalore-1.

Dated 7th July, 1967

Dear Sir,

Sub : Proceedings of the Divisional Commissioners Conference held on 29th and 30th November, 1966 - Compliance report.

Ref : Proceedings of even number dated 7th December, 1966.

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Please refer to the reminders of even number dated 17-1-1967, 7-3-1967 and 20-5-1967 on the above subject.

Since no reply has been received from you so far, may I request you to please look into the matter personally and expedite your reply?

Yours sincerely,

T.S.N

SECRETARY TO GOVERNMENT
PUBLIC WORKS & LAW DEPT.
11 JUL 1967

PWD (Spl. Irrgn),
No 339 Date 12.7.67

To
Shri Chandappa Patel,
Secretary to Govt.,
P. W. Department.

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Dear Sir,

Subject: Proceedings of the Divisional Commr Conference held on 29/t and 30/t Nov. 66 - Compliance regrd.

Ref:

Please refer to your D.O. letter No SDO 10 Dc 66 dt 7.10.67 and to above subject.

The several points raised in the proceedings of the Divisional Commrs Conference are under active consideration. Action on the points in which the circular (Ref). A copy of the circular is enclosed for your reference

(action completed by Secretary)

(Circular issued on this subject)

Yours sincerely,

Sd/-

To

Sri T. S. Narayan Rao
Dy Collector
SDO (ARAKU VM)
Vedhiro Sandhe
Pin 1

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83

S.K. Mohan, B.E.,
Under Secretary to Government,
P.W.D. (Technical).

Mysore Government Secretariat,
Vidhana Soudha,
Bangalore, Dated, 21st July 1967.

D.O.NO.PWD 6 LBW 66 (Suppl-2)

Dear Sir,

Sub:- Proceedings of the Divisional Commissioners Conference held on 29th and 30th November 1966 - compliance report.

Please refer to your D.O.letter No.GAD 10 ODC 66 dated 7/10-7-67 addressed to the Secretary, Public Works Dept. on the above subject. The several points raised in the Proceedings of the Divisional Commissioners Conference are under active consideration and a Circular clarifying the points will be issued shortly. A copy of the Circular to be issued in this behalf will be endorsed to you for your reference.

Yours sincerely,

Shri T.S. Narayana Rao,
Deputy Secretary to Govt.,
G.A.D. (A.R. & O.& M),
Vidhana Soudha,
Bangalore.

Issued
21.7.67

Encls 2

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T.S. NARAYAN RAO,
Deputy Secretary to Government;
G.A.D. (A.R. & O&M).,

MYSORE GOVERNMENT SECRETARIAT,
VIDHANA SOUDHA,

D.O. No. GAD 10 ODC 66

Bangalore, dated 18-8-1967.

Dear Sir,

MYSORE GOVT. No. 3134 Dt. 22 AUG 1967 P.W.D. (GENERAL BRANCH)

SECRETARY TO GOVERNMENT No. DO 575 Date 21 AUG 1967 PUBLIC WORKS & ELEC. DEPT.

Sub : Proceedings of the Divisional Commissioners Conference held on 29th and 30th November, 1966 - Compliance report.

-:-

Please refer to the correspondence resting with my D.O. letter of even number dated 7/10th July, 1967 on the above subject.

D. S. PWD (Ser) No 6936 Date 22.8.67

Since no reply has been received from you so far, may I request you to please look into the matter personally and expedite your reply.

226/I-D/67
239/I-D/67
6 C A W 66 P.U

Yours sincerely,

T.S. Narayan Rao

Shri Chandappa Patel,
Secretary to Govt.,
P.W., Department.

Hcl

No.PWD.6 LBW 66

CIRCULAR

Sub:-Mysore Irrigation Act, 1965 and the Mysore Irrigation (Levy of Water Rates), Rules 1965 - Implementation of -.

At the conference of the Divisional Commissioner held at Bangalore on 29th and 30th November 1966 certain difficulties involved in the implementation of the Mysore Irrigation Act, 1965, and the Mysore Irrigation (Levy of Water Rates) Rules, 1965, were pointed out. ~~To obviate difficulties experienced in implementing the water rates Rules~~, the following clarifications are issued for the benefit of the officers concerned in consultation with the Law Department.-

(1) Water Rate to be levied when two paddy crops are grown in one revenue year on lands localised for sugarcane, etc.

In accordance with Rule 3(1) of the Mysore Irrigation (Levy of Water Rates) Rules, 1965, as amended by the 1967 Rules, the water rate is to be levied considering the crops actually grown in the land. The rate prescribed for paddy crop has to be levied when paddy crop is raised (both for 1st crop and second crop) and the rate prescribed for sugarcane to be levied when that crop is raised. When paddy crop is raised in Notified or localised, the Section 32 of the Irrigation act is applicable in this Case and action has to be taken accordingly.

(2) Water Rate to be levied when water is made available but cultivation is not affected in the land.

By virtue of Section 10 of the Mysore Irrigation (Levy of Betterment Contribution and Water Rate) Act, 1957, as amended by Mysore Act

13 of 1965, it is permissible to levy water rate even when water is made available, but no cultivation is effected. However, as Rule 3 of the Mysore Irrigation (Levy of Water Rates) Rules, 1965, provides for the levy on the crop grown, no levy can be made when no crop is grown. The view that in such cases, higher rates prescribed for a crop under light irrigation may be imposed would not be correct and would be contrary to Rule 3.

(3) Water Rate to be levied if any person used water unauthorisedly.

The Mysore Irrigation Act, 1965, and the Mysore Irrigation (Levy of Betterment contribution and water rate) Act, 1957, are two distinct enactments, Section 28(5) of the Mysore Irrigation Act, provides that if any person uses water from an irrigation work on land not included in the Ayakat work without obtaining the permission required under that Section, he would, in addition to any penalty he incurs under that Act for such unauthorised use of water, be liable to pay water rates at such rate as may be determined by the prescribed officers not being less than 10 times and not exceeding 30 times the rate he would otherwise have been required to pay, had he applied for and obtained the permission. Section 55 of that Act, specifies the offences under that Act. Therefore, if any offence as contemplated therein is committed by a person, he would be liable for the penalty thereunder. The question of liability to pay water rate as stipulated in Section 28(5) would only arise if a crop has been grown as only then he would have been required to pay the water rate in accordance with

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Rule 3 of the Mysore Irrigation (Levy of Water Rates) Rules.

DY.SECRETARY TO GOVERNMENT;
P.W.D.(IRRIGATION)

To

All the Divisional Commissioners.
All the Dy.Commissioners.
All the Chief Engineers.
All the S.F.'s (Irrigation Circles).
All the Ex.Engineers (Irrigation side)
Weekly Gazette.

Government of Mysore

NO.PWD 10 LBW 67

Mysore Government Secretariat.
"Vidhana Soudha"
Bangalore, dated 3rd Aug. 1967.

N_o_t_i_f_i_c_a_t_i_o_n

In exercise of the powers conferred by Section 11 of the Mysore Irrigation (Levy of Betterment Contribution and Water Rates) Act, 1957, (Mysore Act 20 of 1957), the Government of Mysore hereby makes the following rules, the draft of the same having been published in Notification No.PWD 10 LBW 67 dated the 23rd June, 1967, in the Mysore Gazette dated the 29th June, 1967, as required by sub-Section (1) of the said section, namely.-

1. Title and Commencement.-(1) These rules may be called the Mysore Irrigation (Levy of Water Rates) (Amendment) Rules, 1967.

(2) Rule 2 shall be deemed to have come into force on the first day of July, 1965,

2. Amendment of Rule 3.- In rule 3 of the Mysore Irrigation (Levy of Water Rates) Rules, 1965,

(1) in sub-rule (1),
(a) for clause (a) and the Table therein, the following clause and Table shall be substituted, namely.-

"(a) in respect of water supplied, made available or used from the Irrigation works specified in parts I and II of the Table below for growing the different crops specified in column (1) of the said Table, water rates at the rates specified in the corresponding entry in column (2) of the said Table shall, in respect of each such crop grown, be levied.

T a b l e

Part - I

Irrigation work capable of irrigating not more than one hundred acres of land.-

	Crop (1)	Water Rate per acre (2)
i)	For sugarcane crop.-	
	a) to be harvested within a period of twelve months.	Twenty Rupees
	b) to be harvested after a period of twelve months but before a period of eighteen months. ...	Thirty Rupees
ii)	For paddy crop ...	Eleven Rupees
iii)	For any crop of Jowar, Maize, Ragi, Navane, Sajje, Pulses, Green Gram, wheat, Cotton, Groundnut, Vegetables, Chillies, Potatoes, Sweet Potatoes, Gingelly. Onions.	

....2.

(1)	(2)
Tabacco, or corriander ..	Five Rupees and Fifty paise.
iv) For any manurial crop such as, Sannhemp or Sesbania. ..	Three rupees.

Part - II

Irrigation work capable of irrigating more than one hundred acres of land.

Crop (1)	Water rate per acre (2)
i) For sugarcane crop.-	
a) to be harvested within a period of twelve months. ..	Thirty Rupees.
b) to be harvested after a period of twelve months but before a period of eighteen months.	Forty-five Rupees
ii) For paddy crop. ..	Sixteen rupees.
iii) For any crop of Jowar, Maize, Ragi, Navane, Sajje, Pulses, Greengram, Wheat, Cotton, Groundnuts, Vegetables, Chillies, Potatoes, Sweet Potatoes, Gingelly, Onions, Tabacco or Corriander. ..	Eight rupees.
iv) For manurial crops, namely, Sannhemp or Sesbania.	Four rupees.....

b) for clause (b) and the Table therein the following clauses and Table shall be substituted, namely.-

"(b) in respect of water supplied, made available or used from any irrigation works specified in column (1) of the table below for the irrigation of lands on which arecanut, plantain, betel leaves, turmeric, lime, oranges, pomegranates, cocconut, pepper, mulberry, or any fruit is grown, water rates at the rates specified in column (2) of the said Table shall, in respect of each revenue year be levied.

T a b l e

Irrigation work (1)	Rate per acre (2)
(1) Irrigation work capable of irrigating not more than one hundred acres of land	Twelve Rupees.
(2) Irrigation work capable of irrigating more than one hundred acres of land. ...	Twenty Rupees."

.....3.

(2) For sub-rule(2) and the Table therein, the following sub-rule and Table shall be substituted, namely.-

"(2) When water is supplied, made available or used from the irrigation works specified in column (1) of the Table below, for the irrigation of any land in which paddy crop, or any crop of Jawar, Maize, Ragi, Navane, Sajje, Pulses, Greengram, Wheat, Cotton, Groundnut, Vegetables, Chillies, Potatoes, Sweet Potatoes, Gingelly, Onions, Tobacco or Corriander is grown twice in any revenue year, water rates at the rates specified in the corresponding entries in columns (2) and (3) respectively of the said Table shall be levied for the second crop.

T_a_b_l_e

Irrigation Work.	Rate per acre of second crop of	
	Paddy	Jawar, Maize, Ragi, Navane, Sajje, Pulses, Greengram, Wheat, Cotton, Groundnuts, Vegetables, Chillies, Potatoes, Sweet-Potatoes, Gingelly, Onions, Tobacco or Coriander.
(1)	(2)	(3)
(1)Irrigation work capable of irrigating not more than one hundred acres of land.	Five Rupees and fifty paise.	Two rupees and seventy-five paise.
(2)Irrigation work capable of irrigating more than one hundred acres of land.	Eight Rupees.	Four Rupees. "

3.Omission of Rule.4.- Rule 4 of the Mysore Irrigation (Levy of Water Rates)(Amendment) Rules, 1966, shall be, and shall be deemed always to have been, omitted.

By Order and in the name of the Governor of Mysore,

M P Channappa 3/8/67

(M.CHANNAPPA)
DEPUTY SECRETARY TO GOVERNMENT
PUBLIC WORKS DEPARTMENT(IRRN.)

To

1)The Compiler, Mysore Gazette, for publication in the next issue of Gazette.
2)All the Divisional Commissioners,
3)All the Chief Engineers,(Irrigation Side)
4)All the Superintending Engineers,
5)All the Executive Engineers,
6)All the Deputy Commissioners,

Copy to.- 1) Revenue Department,
2) Weekly Gazette,
3) Section Guard File.

Chand;

GOVERNMENT OF MYSORE

H.Maharudriah, I.A.S.,
Divisional Commissioner,
Belgaum Division,
Belgaum.

BELGAUM,

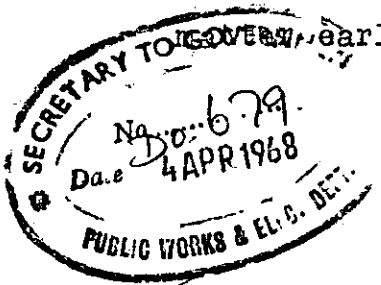
Dated 30-3-1968.

D. O. No. GB/IRR.SR.348.

Dear Sri Chandappa Patil

Sub:- Mysore Irrigation (Levy of Water Rates Rules) 1965 - implementation of ...

I invite your kind attention to this office letter of even dated 11-8-1966 on the above subject and request you to communicate the orders of Government in the matter early.



Yours sincerely,

(H.Maharudraiah)

Shri Chandappa Patel, I.A.S.,
Secretary to Government,
Public Works Department,
Bangalore.

D.S. PWD (Irrgn).
No 8006 Date 6/4/68

PWD (Irrgn).
No 989 Dated 5.4.68

GOVERNMENT OF MYSORE

No.GAD 4 ODC 68.
Encls: Proceedings.

Mysore Government Secretariat,
'Vidhana Soudha',
Bangalore, dated 14th August, 1968.

From

The Chief Secretary to the Government of
Mysore, Bangalore.

To

The Secretaries to Government.
The Heads of Departments.
The Divisional Commissioners.
The Deputy Commissioners of Districts.

Sir,

Sub : Conference held on 15th and 16th July, 1968 - Toning up of Administration.

In continuation of this Department's letter of even number dated 8th July 1968 on the above subject, I am directed to enclose herein for your information a copy of the Proceedings of the Conference.

Separate instructions will issue from the Revenue Department regarding the Collection of Land Revenue arrears etc.

Yours faithfully,

T.S.Narayanarao 16/8/68

(T.S. NARAYAN RAO)
Deputy Secretary to Government,
General Administration Department,
(Administrative Reforms and O&M).

Copy to:

The P.Ss. to Ministers.
The P.Ss. to Ministers of State.
The P.As. to Deputy Ministers.
The Revenue Department.

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"Shariff/-

Proceedings of the Conference of the Secretaries to Govt., Heads of Departments, Divisional Commissioners and Deputy Commissioners of Districts on Toning up of Administration held at Vidhana Soudha, Bangalore on 15th and 16th July, 1968.

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P A R T - I

WELCOME BY THE CHIEF SECRETARY:

Extending a warm welcome to the Council of Ministers and Officers the Chief Secretary observed that the Conference had been convened mainly to take stock of the latest position concerning the working of the Administrative Apparatus and to consider the various suggestions put forward by the Officers for securing improvements in its working. He drew the attention of the Officers to the concern and impatience expressed by the Chief Minister in regard to administrative delays. He stated that the Chief Minister was anxious that the administrative organisation as well as its methods and processes must be modernized if it is to become an effective instrument of economic change. He added that the Chief Minister believed in the delegation of authority in the official hierarchy in a manner which can liberate initiative at all levels and yield quick results of an enduring type.

The Chief Secretary stressed the need for building up healthy relationship between the officials and the general public. Though most of the officials have been able to appreciate the requirements of the democratic set up, he said, that the Chief Minister was of the view that a further effort is called for in the field of harmonious relationship with the public.

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He observed that the services should so conduct themselves with the citizens that even the worst critic of Government should leave a public office with confidence and conviction that his request had been fully and fairly discussed and if the official concerned had not been able to comply with his request, it was because he had no freedom to violate the prescribed rules and procedure The Chief Secretary emphasized that the Public Services should be sensitive to the feelings and sentiments of individual citizens. They should under all circumstances function not only with formal courtsey but in a spirit of service, sympathy and humility. It must be remembered that the poorer a citizen was, the greater was the value he attached to the equality of treatment and being already poor, he would rather put up with more suffering than inequality. Though the poor citizen's anger may not have much effect, the image of an indifferent public servant was bound to get tranished ultimately.

Referring to the seasonal conditions including rains, the Chief Secretary said that they were a matter of the utmost importance and that Government were very anxious to hear the views of the Officers on the subject.

On behalf of the Services, the Chief Secretary assured the members of the Council of Ministers that the Services would spare no effort to implement the policies and programmes of the Government and that if they met with any obstacles in the way, they would seek out solutions with the guidance and assistance of the Council of Ministers. He then requested the Chief Minister to address the Officers.

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ADDRESS BY THE CHIEF MINISTER:

Inaugurating the Conference the Chief Minister said that the Conference had been convened in pursuance of his solemn promise to the people at the time of assuming the office that effective steps would be taken to tone up the administration. He observed that there was ample scope for improving the working of the administrative machinery. It was for the Conference to discuss and make recommendations to the Government in this regard. While doing so, the Chief Minister desired that only such proposals that were vital for improving the administration and which could be implemented without difficulty may be made. He assured that the recommendations made by the Conference would receive the serious consideration of the Government.

Referring to the role played by the Ministers and Officers in a Parliamentary Democracy, the Chief Minister said that the Ministers played the role of policy-makers with the assistance of the Secretaries & other Officers, while the Officers played a vital role in implementing the policies. The success of the Government, he observed, would depend upon the enthusiasm and efficiency of the Officers in implementing the policies and schemes.

The Chief Minister stressed the paramount importance of the relations with the public in a Parliamentary Democracy. While implementing the programmes and schemes, the Officers would come in close contact with the people. The Officers should remember that they are the servants of the people. They should act as friends, philosophers

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and guides to the public. They should rouse the enthusiasm of the people and secure their active participation. It was unfortunate, the Chief Minister observed, that some Officers preferred to sit in their "ivory towers" thinking that they had nothing to do with the public and that their job was over if they were at the desk in their Office between 10.30 A.M. and 5.30 P.M. He said that such attitude and such approach to work should go and it was high time that they changed their outlook. He reiterated that the Officers should feel that they are one among the public and that they are there for rendering service to the society and the public.

Referring to the economic development of the State, the Chief Minister stated that the State was rich in natural resources and that there was huge power ptential. The State was not only self-sufficient in power to-day but it was in a position to supply surplus power to the neighbouring States and thereby earn some revenues. This, however, was not enough to feel satisfied. It was necessary that the State should be able to utilize all the power it generated by intensive rural electrification and by energising irrigation pumps. The State had not been able to electrify all the villages and energise all the pumpsets. Compared to the enighbouring State of Madras where 70 to 75% of the villages had already been electrified and all the pumpsets had been energised, our State was lagging far behind. The Mysore State Electricity Board was finding it difficult to maintain even the last year's tempo of activities.

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The State was thinking, the Chief Minister said, how best to raise the resources and provide funds to the Electricity Board to maintain the tempo of its activities.

As regards irrigation, the Chief Minister said, that the State's irrigation percentage was the poorest in the country to-day. A number of schemes had been taken up and about 117 Crores of Rupees had been spent on these projects so far. To complete the incomplete projects about 150 to 160 crores of Rupees were required. If these projects are completed the percentage of irrigation would go up from about 9 percent to about 14 per cent. In order to harness all the rivers, the State would require, according to assessment made by the Engineers, 500 to 600 crores of Rupees. This would raise the irrigation percentage to 25 percent. The Chief Minister felt that the State could become self-sufficient in food grains if irrigation was increased to the maximum extent. It was therefore necessary to concentrate all our resources for increasing the percentage of irrigation. In this context, the Chief Minister referred to the progress made in the recovery of arrears of revenue and said that it was far from being satisfactory. The Chief Minister asked the Conference to consider how best to improve the machinery in order to improve the collection of arrears and current revenue. Although the seasonal conditions may not be favourable the collection of revenue cannot be stopped. Whoever was capable of paying should be made to pay the land revenue. The Conference could consider what steps may be necessary for the purpose, he added.

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The Chief Minister referred to the development of ayacut areas and said that there was no slackness on the part of the Government in formulating and sanctioning schemes but the Officers who were required to implement them lacked enthusiasm and spirit of service. He felt that there was no proper coordination at the Officers' level with the result the State was lagging behind in developing the areas where potential had been created. Citing an instance in point, the Chief Minister referred to the Tungabhadra Project and said that he did not know whom to blame for the slow progress. He felt that the coordinated efforts of all the departments were necessary for the development of ayacut areas.

The Chief Minister also emphasized the need for taking necessary steps to set up more and more industries within the State by the Government of India in this regard. As against the total investment since 1951 in the Central Sector of Rs.25,000 crores, the investment in Mysore State was only Rs.48 crores. He said that he had made it clear to the Government of India that this injustice would not be tolerated and hoped that necessary justice would be meted out to the State in future, both by way of improving the existing ones and establishing new industries and other central projects.

Continuing, the Chief Minister said that there was corruption in varying degrees in the administrative machinery. There was also a tendency on the part of Officers to shirk responsibility and they were also hesitant to take decisions. The Chief Minister wanted

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the Officers to take concrete and effective decisions. He did not think that the Deputy Commissioners suffered from lack of powers. If they felt more powers were needed, it was open to them to suggest suitable delegation of powers. But when once powers were given to them they had to be exercised for taking effective decisions. Referring to the vital role played by the Deputy Commissioners in the District, the Chief Minister exhorted that they should act as heads of families when they dealt with other departmental heads. They must undertake joint tours of districts with the district head of other departments. The Chief Minister said that this would be useful and beneficial both to the public and to the Government.

The Chief Minister stated that he was thinking of evolving some kind of a machinery like the one in the Erstwhile Hyderabad State to make surprise checks of offices and report to Government directly. The Efficiency Audit Department of the Erstwhile Hyddrabad State consisted of Officers from the Police and other administrative departments. It was required to carry out every year a prescribed number of surprise checks. The Chief Minister said that this matter had been referred to the Pay Commission. However, he desired to know from the Officers whether it was adviseable to have such a machinery in this State also.

On the question of promotions, the Chief Minister observed that Officers at present were getting promotions in the normal course. He thought that this was not a healthy practice. He pointed out that in the Public

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Works Department more importance was attached to the confidential reports of officers while considering their cases for promotion. He wanted this to be extended to other departments also. Efficiency, honesty, integrity and fitness for continuity in office should be the criteria that should count for promotion of an Officer. He was of the view that only officers who had good records could think of promotion and others had to be superseded. Unless this was done, the Chief Minister felt that it was difficult to impose any measure of discipline among the rank and file of officers. Referring to the manner in which confidential reports about Officers is written, the Chief Minister stated that they were not written objectively and sent regularly. Some times, it was difficult to make out whether they were adverse or favourable. He said that such reports should be clear, objective and frank. He wanted the officers to be careful and regular in writing the Confidential records. The Chief Minister also referred to a Committee which was already there to retire such of the Officers who were inefficient, or not in good health or were suffering from other deficiencies. He felt the sooner such officers were retired the better it was for the Government and Administration.

The Chief Minister also made a reference to the report about the treatment given to visiting members of Parliament and said he was inquiring into the matter separately. He added that the officers concerned should have made available to them the literature etc., which they wanted.

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Referring to the procedure prescribed under the Control, Classification and Appeal Rules, the Chief Minister said that it was so cumbersome that it was very difficult to punish an erring official. He felt that the procedure should be simplified to tone up discipline and improve efficienty. He desired the Conference to suggest suitable modifications in this regard.

With regard to the disposal of applications for land grants the Chief Minister observed that they could not got on entertaining applications and that there must be some finality. Quoting the steps taken by the Erstwhile Hyderabad Government the Chief Minister stated that they had constituted Committees at the Taluk level to collect applications from deserving people and make recommendations to the Government. On the basis of these recommendations the Government took decisions. He desired the Conference to examine why similar steps should not be taken in this State also so that after a specified period no more applications for land grant would be entertained. He also wanted information to be collected as to the land available, land required for different purposes by the Government and the land available for grant to the applicants.

In a reference to the tours undertaken by the Heads of Departments, the Chief Minister observed that they did not go to far off places like Belgaum and Gulbarga. Their tours were confined to places around Bangalore or Mysore. It was necessary, he said, that they should tour in Divisions for atleast 5 to 6 days. Staying there for a couple of days or hours was not sufficient. It was for consideration why they

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should not be asked to send their diaries so that the details of their tours would become available.

About the Cooperative Institutions, the Chief Minister said that there was improvement in their number but not in their quality. The Societies in Mysore State had drawn just 12 crores from the Reserve Bank of India while those in Maharashtra had drawn to the tune of about 90 crores. This was because the societies in this State were not able to build up their resources. The recoveries were very unsatisfactory. He made it clear that the Government would have no sympathy with erring societies and that such societies deserved to be superseded. He hoped that this aspect would be examined by the Minister for Cooperation.

The Chief Minister suggested that the Conference may split itself into groups to discuss different subjects and to formulate recommendations. In conclusion, the Chief Minister called upon every Officer to give his sincere and loyal cooperation to the Government in their efforts to give the people a clean, efficient and purposeful administration.

ADDRESS BY THE MINISTER FOR FINANCE & YOUTH AFFAIRS:

Outlining the object of the Conference the Minister for Finance and Youth Affairs stated that it was of a limited nature. No decisions involving changes of a fundamental character in the administrative set up were contemplated. He said that such changes of a basic nature could be considered only after the recommendations of the Administrative Reforms Commission and the Mysore Pay Commission became available.

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For the present, however, the objective has only to find out how best we could improve efficiency and reduce expenditure within the existing administrative frame work.

Continuing, the Minister pointed out that the administrative machinery had to face three impediments, viz. constitutional, political and certain inherent defects. So far as the constitutional impediments were concerned, the Minister felt that they constituted a large issue and that it could be taken up when the Administrative Reforms Commission made concrete proposals. He said that rules governing recruitment, discipline and promotion in the public service had to conform to constitutional requirements and these have to be complied with in a democratic set up. In regard to the political impediment the Minister observed that there was a great deal of political interference or pressure which could be reduced to a great extent, if not altogether eliminated, by the Ministers themselves. Speaking about the inherent deficiencies the Minister expressed the view that the position of the Deputy Commissioner had become somewhat odd. In pre-independence days, the Deputy Commissioner could not only influence but also execute programmes. There was need to vest the Deputy Commissioner with sufficient power and authority to enable him to function effectively and discharge his responsibility. The Minister was of the view that senior officers should be posted as Deputy Commissioners. The efficiency of subordinate officers depended upon the example set by the Deputy Commissioners and Heads of Departments.

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The Minister further stated that the administrative machinery was capable of being geared up if certain steps were taken. He outlined the following steps:

a) Though the inter-State Seniority problem was complicated its settlement in accordance with the prescribed procedure should be speeded up.

b) Efficient, honest and hardworking officers should be given a pat and Officers who are corrupt, ineffcient and lazy should be pulled down. A system of screening the officials at various levels could be adopted in order to increase efficiency.

c) While the Government may not hesitate to delegate more powers to the Officers at various level it was necessary that powers so delegated should be scrupulously and efficiently exercised. The recommendations of the Conference in this regard would receive the serious consideration of the Government.

d) At present the coordination Committees at the District levels hardly attempted any coordination. They only performed a ritual. It is essential that these Committees should meet regularly and function purposefully. The Officers who are members must compulsorily attend these committees.

ADDRESS BY THE MINISTER FOR AGRICULTURE:

The Minister for Agriculture observed that the enthusiasm and efficiency of the Officers at various levels depended upon the safety and security extended to them. He was glad that the Chief Minister had assured

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that Officers who did their work efficiently, without fear or favour would be potected. He stated that it was necessary to see that the non-official agencies do not interfere in the administration at various levels. Referring to the problems of inter-State Seniority, the Minister urged that they should be settled expeditiously so that the Officers concerned would be in a position to function with a better frame of mind. Agreeing with the Chief Minister that merit should be the basis of promotion, the Minister felt that this should be ensured by suitable amendments to the Cadre and Recruitment Rules of the various departments. The Minister further stated that in the matter of postings, promotions and transfers of officials the interference of non-official agencies should be resisted. Forces of communalism and regionalism should not be allowed to influence these matters, he added.

With regard to the question of modifying the Classification, Control and Appeal (C.C.A.) Rules with a view to making them simpler the Minister felt that it may not be possible unless the relevant consititutional provisions are amended. Referring to the role of Efficiency Audit, the Minister suggested that the staff of this Department should consist of persons of outstanding efficiency and unquestioned character and integrity. Their salaries should also be made more attractive. The Minister suggested that the Anti-Corruption Department can set up a squad to make surprise check of Offices.

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The Minister also said that at the meetings of the Coordination Committees convened by the Deputy Commissioners the members are rarely present. Instead they send their deputies. This was not correct. The Minister desired that a directive may be issued to the concerned to see that the members attended these meetings regularly.

In regard to the development of ayacut areas, the Minister suggested that about 500 tractors should be purchased for levelling the areas so that progress could be rendered quicker. Sufficient funds for this purpose would have to be made available. Similarly, the Minister desired that suitable provision should be made for purchase of boring machines. He also stressed the importance of providing funds for soil conservation, deepening of wells, sinking of new irrigation wells etc., so that more area could be irrigated and production of foodgrains is increased.

In conclusion, the Minister stressed the importance of maintaining cordial relations with the public and understanding their problems.

ADDRESS BY THE DEPUTY MINISTER FOR CO-OPERATION:

The Deputy Minister for Co-operation referred to the dissatisfaction prevalining in the minds of officials on account of non-finalization of inter-State Seniority lists and urged that they should be finalized early. In regard to the question of the future posts of the Divisional Commissioners, the Deputy Minister expressed himself against their abolition. He desired that some training should be imparted to the recruits before they are taken on duty.

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Following the suggestion made by the Chief Minister, three working Groups were constituted on different subjects. The composition of these groups, the recommendations made by the Working Groups and the comments of the Conference thereon are detailed in Part-II.

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PART - II

RECOMMENDATIONS MADE BY THE WORKING GROUPS

For the composition of the Working Groups and the subjects assigned to them, please see the Annexure.

The recommendations made by the Working Groups together with the comments of the Conference, if any, are detailed below:

GROUP - I:

Item No.1 : CONFIDENTIAL REPORTS

(a) The Confidential Report form so far as the Non-Gazetted Officers are concerned is adequate to ensure an objective assessment of work done by them.

With regard to Gazetted Officers, however, it is recommended that the Confidential Reports should be in two parts. The first Part should form the detailed Questionnaire on the different items of work that an Officer is required to do and the second part, the existing report form, which is a general assessment of the work. So far as the detailed questionnaire is concerned, it will be necessary for each Departmental head to prepare a separate Questionnaire detailing the duties which the Officer is required to perform such as touring, inspection, collection of dues to Government, etc, where applicable, so that on the basis of facts and figures an objective assessment of the Officer's performance could be arrived at. Therefore, each individual Department will have to

draw up its own proforma for the first part of the Report on the basis of which the several items of work tht the Officer is required to do, will be reviewed and assessed.

(b) These forms should be made known widely so that several officers will know how his efficiency will be judged and will endeavour to earn promotion.

(c) An amendment to the existing Rules is necessary to ensure that after the adverse remarks are communicated to an Officer, he should also be given a opportunity to make his representation, if any, regarding such remarks. The adverse remarks should be communicated as early as possible not only to comply with the Rules, but also to give the Officer, an opportunity to improve his work. If on receipt of the adverse remarks, the Officer concerned were to make a representation regarding those remarks, this should not be treated as an Appeal, but his representation should be filed along with the Confidential Report, so that the Departmental Promotion Committee, at the time of screening, will be in a position to guage the weight to be attached to the adverse remarks after considering the represent tion of the Officer. Therefore, the Rules may provide that the Departmental Promotion Committee should also consider the representation, if any, made by the Officer to whom the adverse remarks have been communicated.

During the discussion on the above recommendations

of the Working group in the Conference, the following suggestions were made:

a) The Confidential Reports should be such as to get a businesslike appraisal of the work of an Officer. Specific suggestive terms should be used to enable the reporting Officer to furnish clear and concise replies. The answers could be graded as "Excellent", "More than average", "Fit to hold the post but not fit for promotion" etc., so as to compel the reporting Officer to select one of these giving the marking.

b) The duration fixed for writing the report should be changed from once a year to once in a quarter in the case of Class II Officers and to once in six months in the case of Class I Officers.

c) In regard to the question of the writing of Confidential Reports by the Deputy Commissioner about technical officers engaged in developmental work it was suggested that the Deputy Commissioner should do so with regard to the administrative performance of the Officer. The view that where development effort was concerned all Departments should be treated as equal in this matter was expressed. It was clarified that the Deputy Commissioners and Divisional Commissioners function as leaders of teams and they write the confidentials only about the general performance of the Officer.

(d) Promotions:

So far as promotions are concerned an Officer who has worked loyally and efficiently should normally be entitled for promotion and should not be

overlooked by promoting a junior on the ground that some other has done outstanding work. It was felt that if adhoc promotions were ordered on the basis of stray instances of good work it might lead to a demoralization of the services and the remedy might be worse than the defect.

Where, however, an Officer on the basis of Confidential Report, supported by specific instances is proved to be negligent or inefficient, he should be penalised and the Officer should not be granted a Promotion as a matter of course.

In the course of the discussion on this subject, it was suggested that promotion Boards which could function as Screening Committees could be set up so that all points that are relevant would be considered while recommending Officers for promotion squarely and fairly.

/- (a) to (d) Action : GAD (S.R.) and all Departments of Government. -/

Item No.2 : Classification, Control and Appeal Rules.

(a) The procedure outlined in these rules has to be followed to comply with the law relating to natural justice. It is however felt that many of the orders passed have been set aside by the Courts mainly because the Disciplinary Authority had not taken care to follow the procedure prescribed.

The Department of Law and Parliamentary Affairs, is requested to prepare a brief digest with reference to the decision of the High Court and the Supreme Court on the important issues that arise in these proceedings and

of the detailed procedure that should be followed by the Enquiry and Disciplinary Authorities to ensure that Disciplinary Proceedings will not end in a fiasco for not following the correct procedure. The Law Secretary pointed out that while a number of cases were formerly quashed by the High Courts, in the recent past it has been found that the Officers are now better acquainted with the procedure to be followed and the challenges before the Courts have not proved successful and, therefore, on the whole the procedure which has stood the test of time may be continued.

(Action : Department of Law and Parliamentary Affairs.)

(b) With a view to improve efficiency there should be adequate power for awarding minor penalties by the Officers who are immediately supervising the work of the lower authorities. Therefore, there is a strong case for revising the Schedule of the Disciplinary Authorities and delegation of power to authorities at lower supervisory levels to award penalties at least of a minor nature where a Government servant is found to be persistently defaulting.

(Action : GAD - (S.R. -'A')

Item No.3 : IN-SERVICE TRAINING

a) The long term and right solution to the problem of training raw recruits no doubt lies in setting up training institutions. This issue is being considered by the Pay Commission. However, in the absence of Institutional training, it was felt that there is cope to ensure quick and immediate improvement in the work of

an Office by asking the Supervisory staff to devote every day half an hour or one hour in the morning to call each recruit by turn, ask him to bring the papers that are pending with him and instruct him briefly on the Law and the Rules pertaining to such paper and the procedure for disposing of the papers that are pending with him.

This short training could be adopted immediately by most of the Officers, so that the clerical staff, most of whom are usually delaying papers, not because they do not want to do the work but because they do not know how to deal with the papers, should be able to understand their responsibilities quickly and within a month or two get enough instructions from the supervising authorities to handle their work.

The Heads of Offices, may also, set apart some time every week to go round the offices and enquire into the delays in the offices under their charge. If such inspections are done regularly, they will ensure that the subordinates are more alert and prompt in the disposal of papers pending.

On this subject the Conference made the following points:-

a) In order to train all recruits, it is necessary to establish District Training Institues both for Government and Local Bodies. Selected candidates may be given stipends during the period of training,

b) The view that all training programmes could be centralized and entrusted to the Directorate of Employment and Training was also expressed.

(ACTION : GAD (O&M - B)

Item No.4 : DELEGATION OF POWERS

a) It was felt not practicable to lay down in detail the delegation of Powers for the several Departments. So far as financial powers are concerned it was generally felt that they are adequate. However, it would still be open to the Heads of Departments to make recommendations where further delegation is felt necessary.

The Deputy Commissioners are also Heads of Departments and if they feel that certain further delegation is necessary in the interest of prompt disposal of Government work, they should be authorised to forward their recommendations through the Divisional Commissioners. There should be definite efforts to delegate powers to lower officials of Government who have to deal directly with the public and this will have to be considered by their superior authorities and if need be recommendations submitted to Government.

(Action : Revenue Department)

b) When a representation or a complaint is received by an authority higher than the competent Officer to take decision in the matter, it would be desirable for the higher authority - a) to inform the complainant that the matter has been referred to the competent authority, for disposal and that he should approach him, and (b) to forward the complaint or representation to the competent authority, ask him to take a decision quickly and intimate the supervising authority, the date of the decision. It should be left to the party to seek relief by way of appeal, if he is

dissatisfied with the decision of the competent authority.

While considering the above recommendation the Conference made the following points:

a) Not only should there be delegation from the Ministers down to the Under Secretaries within the Secretariat Departments but also between the Government and the Heads of Departments. In their turn the Heads of Departments should delegate to the lowest possible level. The whole scheme of delegation from the Secretariat to the field agencies requires streamlining.

b) The Heads of Departments should be empowered to create posts of leave reserves.

c) If Officers make genuine mistakes while exercising delegated powers they should not be punished.

(Action : GAD (O&M) and Revenue Department)

Item No.5 : INSPECTION :

a) So far as inspection of offices is concerned the existing rules provide that the Heads of Departments draw up an Inspection Programme much earlier than the financial year and intimate it to the subordinate authority to ensure that the authority inspecting would similarly draw up a programme of inspection and intimate the lower officers so that the lower officer will not inspect the subordinate office by way of duplication. These programmes should be drawn up well in advance. This will avoid over-inspection and duplication of Inspection. However, every inspection report should contain a specific

number of items on which the inspecting authority requires action to be taken. A date may also be fixed by which the action should be reported to the Inspecting authority.

(Action : GAD O & M - B)

b) So far as setting up of a Special Cell for carrying out surprise inspections is concerned, while it may have some effect in keeping lower authorities alert, it was found that this would be of limited use unless the inspecting authority is fully conversant with the details of the work of the office that is being inspected. However, on the basis of surprise inspections a check could be made whether the lower authority is complying with the instructions issued by the higher authority after inspection and also whether the grievances of the public are being attended to promptly and with sympathy.

During discussion on this recommendation, it was suggested thqt a regular return of inspections made by the Heads of Departments should be prescribed and a regular review of this work should be done in the Chief Secretariat so that the Government would know if the scale of inspections prescribed for various Departments has been complied with by the Officers concerned.

(ACTION : GAD (O&M) 'B')

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WORKING GROUP-II RECOMMENDATIONS:

1. Village Accountants and Village Panchayat Secretaries.

1) Normally there shall be one Village Accountant for each Village or groups of villages having a recurring annual demand of Government dues of Rs.15,000/-.

2) In setting up these Circles, either a single Panchayat or an integral number of Panchayats should be included in a Circle.

3) Normally every Panchayat shall have its own Secretary.

4) The demand lists of Panchayat Taxes shall normally be written up by the Panchayat Secretary, who will collect these taxes.

5) The Deputy Commissioner may permit the Village Accountant to collect the Panchayat taxes if he considers such action necessary in the interest of speedy recovery of Panchayat taxes. Government shall recover 3% commission on such collections made by the Village Accountant.

6) The Divisional Commissioner may appoint the Village Accountant himself as the Panchayat Secretary in exceptional circumstances.

7) The Settlement Department has already prepared a list of Village Accountant's Circles, keeping in view the land revenue demand and area.

These lists may be circulated among the Deputy Commissioners and their opinion obtained before finalising the delimitation of circles.

8) It is considered necessary that there should be a functionary corresponding to the former Patel in each village as defined in the Land Revenue Act. His functions may cover both Revenue and Police Departments.

9) These Patels will be paid an honorarium varying from Rs.30/- to Rs.100/- per annum, half of this being borne by the Revenue Department and the half by the Police Department.

10) Each Patel shall have an inferior servant who shall be paid an honorarium of Rs.12/- p.m. This remuneration also will be shared equally by the Revenue and Police Departments.

The Group was of the view that the Village Accountants should be on the pay scale of Rs.80 - 150/-, equivalent to that of a Second Division Clerk and the posts of the Revenue Inspectors should be open for promotion to the extent of 50% from the pool of Second Division Clerks and the Village Accountants.

[Action : REVENUE DEPTT. & D.H.P.C. DEPTT.]

2. Revenue Inspectors and Sheristedars:

There should be only one grade of Revenue Inspectors on the pay scale of Rs.120- 220 and it is not necessary to have a cadre of Sheristedars in between the Deputy Tahsildars and First Grade Revenue Inspectors and that the Sheristedars may be replaced by Deputy Tahsildars.

/- Action : REVENUE DEPARTMENT -/

3. DIVISIONAL COMMISSIONERS.

a) It is suggested that the institution of the Divisional Commissioners should not be dispensed with and its replacement by the Revenue Board would not further the interest of the administration. If there is any feeling that the Divisional Commissioners were not fully effective one of the main reasons is the inadequacy of the powers delegated to them. As at present they have no control over several departments directly concemed with development work. They have no powers of superintendence and control even over religious and Charitable Endowments Department and the Revenue Survey and Settlement Department. It is felt necessary to restore appellate powers under the Mysore Land Revenue Act to the Divisional Commissioners, associating, if really necessary, a judicial officer of the rank of a District Judge, to form the Divisional Appellate Authority. The decisions of this Appellate Authority should be final, with the provision to refer any specific questions for decision of the High Court, as existing in the Mysore Revenue Appellate Tribunal Act.

This would be a source of relief to the Public involved in revenue litigation who could not be forced to come before the Tribunal at Bangalore.

b) There should be liberal expansion of the Powers, both financial and disciplinary which are now available for the Divisional Commissioners.

[Action : [(a) & (b) G.A.D. AND REVENUE DEPTT.]

c) The powers to transfer Class-II Officers of the Revenue Department and Development Department should be left entirely in the hands of the Divisional Commissioners. It is also suggested that the Divisional Commissioners should be entitled to suggest to any other Department of Government action considered in the public interest and such suggestions should generally be implemented by the Heads of Departments. This provision would be on the analogy of similar provision made in the Police Act, wherein the orders of the District Magistrate in regard to Police matters would have to be complied with by the Superintendent of Police.

[Action : GAD (Service Rules 'A')]

4. REVENUE COLLECTION ORGANISATION:

It is felt that the existing Land Revenue Rules and the statutory instructions are quite comprehensive. Usually the trouble would arise when some important people are tackled firmly for payment of arrears. Drawing of Kulawarpatties and categorisation of dues as suggested by the Revenue Secretary in the note circulated in the Conference and also an Organisational drive for collecting

against targets would have to be done by the Assistant Commissioners under the direction of the Deputy Commissioners. Assistant Commissioners will have to be associated closely with and made responsible for the success of the collection drive in their respective jurisdiction. In the areas where the arrears are particularly heavy, and the Deputy Commissioner feels that the Tahsildars and the Assistant Commissioners require some transport facility for ensuring maximum efficiency of the revenue collection machinery, the Deputy Commissioner should be empowered to place the Block Development Jeeps during the alternative weeks of the month at the disposal of the Assistant Commissioner for being used along with the Tahsildars for the specific purpose: Also in areas where the arrears are particularly heavy and where even the basic records have not been propertly prepared, minimum additional staff for temporary period of 6 months may become inevitable. In view of the considerable public revenue at stake the proposal made by the Deputy Commissioner would be examined by the Divisional Commissioners and recommended to Government for consideration.

The following points emerged from the discussion relating to the above recommendations:

a) The existing rules in regard to the collection of land revenue should be allowed to stand.

b) The outstanding work in regard to revenue collection should be recognised. One suggestion was that the best Revenue Inspector of the District, the best Tahsildar of the Division and the best Deputy Commissioner of the State should be recognised by

issuing a certificate of commendation from the Government to be presented during the "Nadahabba" celebrations in the State. The other suggestion was some financial benefit by way of grant of increment should be given.

c) Intervening in the discussion the Minister for Finance stated that for purposes of collection of revenue if jeeps could not be got from other Departments, there would be no objection to hiring the vehicles for the purpose. He assured that the Government would bear the expenditure on this as in the case of Election work.

d) It was pointed out that some influential persons will not only refuse to pay but also instigate others not to pay. The honest ryots are mislead by such persons. It was necessary that Government should protect the officers concerned in discharging their duties without fear or favour.

[Action : REVENUE DEPARTMENT]

WORKING GROUP III - RECOMMENDATIONS

The types of Problems needing co-ordination at the District level would fall into three groups:-

(i) Those which can be settled on the spot: these usually relate to purely local matters or matters of individual detail;

In such cases firm decision to be taken at the District level itself, and in the event of dis-agreement between two Departments, the Deputy Commissioners should give decision in the matter after taking into account all the relevant considerations.

(ii) those to be taken up with the Heads of Departments:

A common view should first emerge at the District level with the assistance of the Deputy Commissioner and concrete suggestions should be referred to the Head of the Department concerned.

(iii) those where modification of orders or policies of Government is needed:

The Department concerned should furnish adequate justification for seeking a modification of orders of Government, and it should be open to the Deputy Commissioner to comment on the subject from a general point of view.

It is to be understood that the role of the Divisional Commissioner at the Divisional level and that of the Deputy Commissioner at the District level is in the nature of that of a first among equals. It would be necessary to clearly spell out his role to enable him to play the role of a leader of the District team.

To make the Monthly Co-ordination Committee Meetings more effective, the following specific suggestions are

made:

i) The date of the co-ordination meeting should be fixed well in advance. The date could be fixed either in the previous meeting or on the basis of a standing arrangement; i.e., the third Saturday of every alternate month, etc.

ii) The agenda for the meeting should be prepared by the District Development Assistant and scrutinised by the Deputy Commissioner. Ordinarily, only cases where a Department wants the help of another Department should be discussed in these meetings.

iii) The notes prepared on the subject should be precise, enumerate the facts and pose the questions for decision.

iv) Every officer to whom the notice of the meeting is sent, should make it a point to personally attend the meeting with full information. If he is unavoidably prevented from attending the meeting personally he should take the permission of the Chairman adducing satisfactory reasons. In the event of such absence, a responsible subordinate fully briefed to speak on behalf of the officer should be sent to the meeting.

v) If an Officer is absent without valid reasons. or if there is slackness in implementing the decisions, the Deputy Commissioner should take up the matter with the concerned Head of the Department.

vi) It might be desirable to limit the number of officers called to the meeting. Actually, it would be a good idea for a separate sitting to be held with some key-officers like the Superintendent of Police, the

Executive Engineers, the Deputy Director of Agriculture, the Deputy Registrar of Co-operative Societies, the District Educational Officer, and the Divisional Forest Officers.

. For quite sometime to come there will be need for the understanding and help of other departments and it is the Deputy Commissioner who is best placed to bring about such coordination. The Deputy Commissioner has to continue to be held responsible for the general welfare and development of the District. To make his role more effective the following suggestions are made:-

a) It is necessary that only Officers of sufficient seniority, experience and maturity be posted as Deputy Commissioners.

b) Before an Officer is posted as Deputy Commissioner, he should have worked for a couple of years as Deputy Secretary in the Secretariat, and for another couple of years as Deputy / Joint Head of a Development Department. This will give him the ability to take an over-all view of things.

c) The Deputy Commissioner should write the confidential reports of the District Officers of Development Departments. Even now, there are standing instructions of Government (vide O.M.No. P&D 414 EST 60 dated the 21st March 1961), which require "that the Deputy Commissioners shall make an annual assessment report before the 10th January of every year regarding the manner in which the District Level Officers of the different Departments represented on the District Development Council have functioned during the year under report in regard to

developmental activities and that these reports shall form part of the confidential report of the concerned officers." These instructions may be strictly followed.

d) It is clear that the reporting by the Deputy Commissioner / Divisional Commissioner, relates to matters other than the general performance of the District Officer. It would be desirable to evolve a revised form of report for the Technical Officers. The first part - which would be concise - would be filled up by the Deputy Commissioner, with remarks on the general performance of the Officer as a part of the Development Team, his reputation in public, and his enthusiasm shown in tackling special problems. The other part which could be larger, should be filled up by the Divisional-level Officer of the concerned Department (to whom the Deputy Commissioner would send his report) with an assessment of the performance of the Officer on the technical side.

e) The reports by the Deputy Commissioner / Divisional Commissioner should be given full importance (i) by communicating any adverse remarks, and (ii) by taking note of these remarks when assessing the confidential record for promotion, etc.

To ensure good results, it is urgently necessary to fully delegate powers to the District Officers of the departments. Usually any matter covered by orders of Government or policies of the Government on which there is agreement among the district officers should be decided finally at the district level.

Co-ordination:

When the recommendations relating to coordination came up for discussion the following points were made

in the Conference:-

a) More importance should be attached to Taluk level coordination meetings;

b) The Deputy Commissioners should have fuller cooperation from the District Level Officers;

c) Intervening in the discussion the Minister for Development stated that the Deputy Commissioner is expected to discharge multifarious functions and wondered whether a single functionary will be able to discharge them effectively. He urged that this aspect should receive consideration.

(ACTION: GAD (Services) and
Service Rules, R.D.
and DHPC Dept.)

A N N E X U R E

I. WORKING GROUP

Sub: Confidential Reports, simplification of C.C.A. Rules and Procedures, Procedure for promotion, Inservice Training arrangements, delegation of powers and related matters.

Composition:

1. Sri M. Vasudeva Rao, Vice-Chairman, M.S.R.T.C. (Convenor).
2. " M. Veeraraj Urs, Secretary to Government, Finance Department.
3. " P.S. Rajashekarappa, Deputy Commissioner, Chitradurga,
4. " P.P. Prabhu, Deputy Commissioner, Mysore,
5. " Magdum, Chief Engineer, Irrigation (South)
6. " H. Shama Sastry, Director of Health Services.
7. " M.D. Shivananjappa, Secretary to Government, Commerce & Industries Dept.
8. " T. Shamanna, Commissioner for Industries.
9. " Ali Khan, Special Deputy Commissioner, Bidar.
10. " Samuel Appaji, Deputy Commissioner, Hassan.
11. " N. Narayanachar, Electrical Inspector to Government of Mysore.
12. " Mohd. Hafeezuddin, Deputy Commissioner for Land Records.
13. " S.V. Papa Reddy, Secretary to Government, Dept. of Law & Parliamentary Affairs.
14. " G.V. Viswanath, Deputy Commissioner, Shimoga.

II. WORKING GROUP

Sub:- Considering changes in administrative structure in regard to the Revenue Department in particular and other Departments in General.

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Composition:

1. Sri M.S. Swaminathan, Commissioner for Land Reforms & Ex-Officio Revenue Secretary (Convenor).
2. " K. Balasubramanyam, Administrator, Bangalore City Corporation.
3. " R.N. Vasudeva Divisional Commissioner, Bangalore.
4. " R. Srenivasan, Divisional Commissioner, Mysore.
5. " G.S. Srinivasan, Divisional Commissioner, Belgaum.
6. " M.S. Shankar Rao, Divisional Commissioner, Gulbarga.
7. " D.J. Balaraj, Commissioner for Commercial Taxes & Excise.
8. " N. Lakshman Rau, Secretary to Govt., Home Dept.
9. " T.R. Jayaraman, Secretary to Govt., Education Dept.
10. " H. Maharudriah, Deputy Commissioner, Belgaum.
11. " Jayakumar Anagol, Deputy Commissioner, Raichur.
12. " S.H. Venkatesh, Deputy Commissioner, Dharwar.
13. " V. Byrappa, Commissioner for Religious and Charitable Endowments.

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III. WORKING GROUP

Sub: Achieving better co-ordination at District and other levels.

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Composition:

1. Sri G.V.K. Rao, Development Commissioner and Special Secretary to Government.
2. " G.S. Srinivasan, Divisional Commissioner, Belgaum.
3. " R. Bharaniah, Secretary to Government Dev. Housing, P.Raj & Co-operation Dept.
4. " T.J. Ramakrishnan, Secretary to Government, Agriculture & Forest Department.
5. " H.R. Arakeri, Director of Agriculture.
6. " C.A. Jamkhandimath, Registrar of Co-operative Societies.
7. " D. Rudriah, Director of Animal Husbandry & Veterinary Services.
8. " H.L. Nage Gowda, Deputy Commissioner, South Kanara.
9. " M.K. Venkatesha, Deputy Commissioner, North Kanara.
10. " C.B. D' Mello, Deputy Commissioner, Tumkur.
11. " D. Balagopalan, Deputy Commissioner, Bellary.
12. " Ahmed Siddiqui, Deputy Commissioner, Gulbarga.
13. " B.C. Channaraj Urs, Deputy Commissioner, B'lore.
14. " Hiremath, Superintendent of Land Records.
15. " P.G. Puranik, Under Secretary to Government, Dev. Housing, Panchayati Raj & Co-operation Dept.

PART III

Other subjects considered in the Conference.

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Collection of Co-operative dues and Panchayat Arrears:

a) Though these do not fall under the category of arrears due to Government, they are dues to the corporate bodies which if realised in full would generate wealth and employment in the rural areas and help in rapid rural development. The Co-operative credit if properly used on the land of the cultivator would yield greater produce and help in the improvement of the status of the farmer. On account of the large arrears the State has not been able to utilise all the credit the Reserve Bank is able to provide. Concerted steps are therefore necessary to wipe-out these arrears so as to absorb the maximum amount of money which the Reserve Bank is prepared to provide. The Deputy Commissioners were requested to review the collection of cooperative arrears at the District Co-ordination Committee meeting and Functional Sub-Committees of the District Development Council.

b) Similarly there are Village Panchayat dues to the tune of Rs. 3 crores which if collected expeditiously would provide the much needed money required for pushing up the local works of amenities at the village level. The Deputy Commissioners were requested to launch a drive for the collection of these arrears along with the drive of land revenue collection. Such drives launched in some Districts have yielded good results and improved the financial resources of the Panchayats and enabled them to push through the amenities programme at the village level.

(Action: Deputy Commissioners)

Preparation of District Plan:

The Planning Commission in their document on the Approach to the Fourth Plan have suggested the preparation of District Plans and the same has been endorsed by the National Development Council at its recent meeting. The Administrative Reforms Commission has also come out in favour of the preparation of the District Plans. An attempt was made in the past for preparing District Plans but such plans tended to be need based plans beyond the capacity of the State Government and local bodies and raised false hopes. What is needed now is not a repetition of the earlier experiment but the preparation of realistic District plans based on the utilisation of the local resources available. These plans should not make any demands on additional inputs. The Village Panchayats, Taluk Development Boards and Municipalities should be enabled to draw their own plans of developments of the respective areas making maximum use of the resources that could be raised by themselves and making full use of the same.

For the preparation of the realistic District Plans a small team of officers comprising of the District Development Assistant, the District Statistical Officer, District Publicity Officer and District Planning Officer to be selected from among the Block Development Officers and Deputy Block Development Officers working in the District will be in charge of the preparation which will be considered by the District Development Council. This is intended to enable a discussion of the local problems, needs and priorities.

As soon as a final indication of the plan allocation is finalised the District Heads of the Development Departments will communicate allocation to be expended in the

area so that a District Plan would be ready by January, 1969.

The selection of an Officer from among the Block Development Officers and Deputy Block Development Officers to work as District Planning Officer to assist the District Development Assistants will be made by the Divisional Commissioners in consultation with the concerned Deputy Commissioners.

(Action: Divisional Commissioners/
Deputy Commissioners.)

Elections to the Taluk Boards:

The Government have taken a decision that Elections to the Taluk Development Boards should be held before the end of November 1968. The Deputy Commissioners were requested to take necessary steps for the conduct of these elections before the scheduled time. The Government were most anxious that the elections should be held as scheduled and not postponed for any reason.

(Action: Deputy Commissioners)

Construction of Drinking Water Wells:

Government have committed themselves to provide atleast one Drinking Water well in each village. There are still a large number of villages without this facility, and the Finance Minister urged an early fulfilment of the promise made before the Gandhi Centenary Celebrations i.e. by the end of 1969. The amount released may be made full use of and if ~~xxxxxx~~ there is any need for additional allotment, the same will be made available.

The Deputy Commissioners were requested to take personal interest in completing large number if incomplete drinking water wells as also the irrigation wells for which

loans have been advanced to the cultivator to start the work and to utilise the amount sanctioned summary recovery should be resorted.

(Action: Deputy Commissioners)

Popularising the use of fertilisers:

The Development Commissioner informed the Conference that the fertilisers position in the State is extremely confortable and steps should be taken for maximum utilisation with a view to increase agricultural production and generate more wealth. The Deputy Commissioners were requested to pay personal attention to stream-line the movement of fertilisers and the credit flow. The Registrar of Co-operative Societies has recently issued instructions for having atleast 10 sales points for fertilizer per Taluka. A large amount of Government money is locked up in the fertilisers held by the State and their use within the next 45 days will besides helping the Government in realising the money and also enable us draw more fertilisers in the coming years as allocation depend upon the utilisation in this year.

There is no restriction on the sale of fertilizer to any one who wants to use it either for foodcrops or commercial crops or mulbery etc.

Loans to non-members can be given from the taccavi grants made available to the Deputy Commissioners or District Central Cooperative Bank, preference being given to latter agency.

(Action: Deputy Commissioners)

National Savings Programme:

The Minister for Finance and Youth Affairs impressed upon the Deputy Commissioners the importance of the National

Savings Programme. He said that National Savings constituted an important source of raising resources for plan schemes and as such it was necessary to step up collections under this programme. He wanted the Deputy Commissioners to give priority to this programme. He stated that the Finance Secretary would issue necessary instructions in this regard to the Deputy Commissioners and other concerned.

(Action: Finance Department/
Deputy Commissioners).

Afforestation work:

The Minister of State for Forests addressed the Conference and impressed upon the Deputy Commissioners and other Officers concerned the need for increasing the forest area in the State. He said that the scarcity conditions prevailing for the last 3 or 4 years was in some measure due to the indiscriminate cutting of trees, especially in maidan areas. The Deputy Commissioners, he said, were in a position to know the extent of gomal and waste lands available for farm forestry and afforestation work. He said that it was the unanimous suggestion of the Central Board of Forestry that the forest growth should be increased at any cost. In this work, the Minister of State suggested that the assistance of non-official agencies should also be utilized. He said that to some extent seedlings would be supplied free of cost. To some extent they will be supplied on the basis of 'no loss, no profit'. He suggested to the Deputy Commissioners to see that atleast 2 acres of land in each Taluk is set apart for nursery plantation. This should be done before 'Vanamahotsava' celebrations take place. There should be a regular and planned compaign for afforestation. At the same time, he asked the Deputy

Deputy Commissioners to take effective steps at the Taluk and Village levels to prevent cutting down of trees.

(Action: Deputy Commissioners/
Agri. & Forest Dept.)

Mechanization of Administration:

It was suggested that more and more mechanical aids like franking machines, photo copying process etc. which will lead to quicker handling of papers and reduce administrative delays considerably. Intervening, the Minister for Finance suggested that a Committee consisting of the Development Commissioner and one or two others may consider this question and put up proposals. The Minister also hoped that with more and more mechanization of administrative process it might be possible to do away with the Class IV category of officials in about 10 years or so.

(Action: G.A.D. (O&M)

P A R T - IV

Before the Conference concluded the Minister for Public Works emphasized the need for expediting the digging of wells (both irrigation and drinking water wells). He assured that he would look into the matter of the application of the schedule of rate and see that the Officers of the Public Works Department will join hands with the Deputy Commissioners to push through the programme.

The Minister for Development stated that the Deputy Commissioners should see that the Elections to the Taluk Development Boards are held and completed according to schedule already indicated by the Government.

Winding up the deliberations of the two-day Conference, the Minister for Finance and Youth Affairs expressed his satisfaction that the Conference had proved useful and desired that such Conferences, may be held once in a quarter. Such Conferences, he thought, would give opportunities not only for exchanging ideas but also for bringing to the notice of the Government the practical difficulties faced in implementing the policies and programmes of the Government. Referring to the thought-provoking inaugural address given by the Chief Minister, the Minister hoped that the ideas expressed by the Chief Minister would inspire the Officers to greater efforts in the service of the State. The present Cabinet, he stated, consists of enthusiastic, young and educated persons and that this would be a source of inspiration. He hoped that with the cooperation, loyalty and hardwork of the Officers, the present Cabinet will come up to the expectation of the people and succeed in achieving the objective that it has placed before itself.

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